MORRY

ROBERT ELSON

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MORRY

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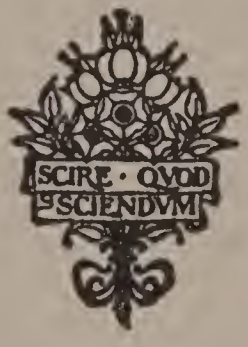
The Portrait of a Lawyer

BY

ROBERT ELSON



"A man's gift maketh room for him."

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The Author Dedicates This Book To

The Right Honourable Sir John Simon, K. C., M. P., K. C. V. O.; Fellow of All Souls, Oxford; ex-Attorney-General and ex-Home Secretary for England: and his oldest friend.

AUTHOR'S NOTE

Nothing in this book is intended to reflect unfavourably on any actual person, living or dead; if people choose to try ugly caps on their own heads or others', and to think that the cap fits, the author disclaims having intentionally made them to do so.

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CHAPTER I

Random Memories

I remember gazing round the Abramsons' drawing-room in awed surprise: everything seemed either bright-coloured or shiny, and Mrs. Abramson like a large bird of brilliant plumage. She wore a violet satin dress with puff-sleeves gored and ruched, the skirt made full and flounced; and a cap of white lace on a pink satin foundation: these being in the newest fashion. My mother was wearing her calling gown, which she had had for several years, a puce poplin, cut to the figure, with tight sleeves, and made plain; and a small black bonnet, with a cream lace fall. I wore a black-and-red-checked flannel frock, white socks with black bars, ankle-strap shoes, and a black velvet tam-o'-shanter with a cairngorm brooch and a feather at one side — this being the kind of costume worn by little boys when I was three.

I owe these particulars to my mother's recollection. I only remember, dimly, that there was a marked contrast between her and Mrs. Abramson (Mrs. Abramson was stout, and my mother slim and elegant); also that Mrs. Abramson had a loud voice and a hearty laugh (my mother's tones were always modulated). I cannot be sure whether it was then, or later, that I noticed the rolls of fat at the back of Mrs. Abramson's

neck and the slight moustache which darkened her upper lip.

The ostensible reason for our call was to see how the baby was getting on; really, it was a duty call. The duties of a rector's wife were extended in my mother's case by my father's large-mindedness. The Abramsons were business Londoners who had invaded our sleepy Hertfordshire village, and Jews; that made no difference in my father's eyes; they lived in the parish, therefore my mother must call. So my mother called — when she could not get out of it.

The baby was brought down in his nurse's arms for us to admire. I was told his name was Morris. My mother duly admired him; I peered from a respectful distance. He looked like a starfish — all noses.

"You needn't be afraid of dear little Morry," said Mrs. Abramson. "He won't bite you."

I went closer. I bent over dear little Morry, and Morry shoved his fist in my eye, and——

And it must be supposed that we took a fancy to each other.

As soon as Morry could toddle, he was brought to play in our garden. Sometimes I went to play in their garden. Mr. Abramson, a kindly father, had provided his children with a sandpit; I built castles of sand, and then allowed Morry to kick them to pieces. He used to shriek like an Indian while he did so, but with a grave face. Morry's gravity was remarkable from childhood. He rarely smiled; he beamed instead, in a peculiar fashion of his own: he never laughed.

About the age of seven I learned something of the history of my family, and became inordinately conceited over it. I announced to Morry, one day when he came to play with me, that I was a descendant of Saxon Kings.

" You must take the oath of allegiance. Say after me " — I have no idea where this rigmarole came from — " ' I take you as my liege lord, and will true faith and allegiance bear, in no wise to oppose or hinder your designs, and to be your faithful and loving subject as long as I shall live.' "

Morry said it. He looked up at me while he did so. I suppose he almost worshipped me in those days.

I think that was before Nesta joined us. Her parents died, and my father adopted her. I renamed her " Cockles." She was a little younger than Morry, and small for her years, with the tiniest hands and feet imaginable, dry sandy hair, green eyes, and a hot temper. We became a trio.

Our favourite game was playing trains. Up and down the long straight paths in the kitchen-garden we trotted tirelessly, puffing and whistling and blowing off steam. Later there were signals, connected to levers in a potting-shed. Later still, we acquired a telegraph set — one instrument was installed in the potting-shed and the other in the harness-room. Morry and I played traffic-manager and signalman alternately, while Nesta acted as train. When she required a rest, we allowed her to enter one of the offices and dictate a message to be transmitted to the other.

Nesta liked this because it gave her a chance to insult us with impunity. Thus, when Morry was

sender, she would dictate for my benefit some such message as: " Hallo, Beanpole, how are the beans doing with the wire brush on top " — a general allusion to my lankiness and sticky-up hair which was not intended to convey the idea that the imaginary beans found my mop in their way: she had a trick of jumbling her sentences. When Morry was at the receiving end he would get: " Hallo pudding face with two currants; they must have been expensive " — meaning that the price of currants was high when his face was made, not that his eyes particularly had been costly. Her nickname for him was " Plumduff," afterwards reduced to the last syllable.

Riddles and puzzles were a form of social diversion in those days, and my father was fond of putting to us such problems as: " What is the price of eggs when two more for a shilling would mean a penny less per dozen?" Morry, by the time he was eleven, could solve almost any of these problems. At my preparatory school I learned to guy them; at the end of my first term I brought home a cod puzzle. It was: "Mary looked at the portrait of a man and said, ' That man's father was my father, and his mother was my mother, yet we are not brother and sister.' What was Mary?"

My father was angry when he was sold over this. Morry came to tea. I put it to him. He was sitting by Nesta, who, during my absence at school, had replaced me as his companion. She watched him eagerly while he reflected; I can see them now — Morry with his parrot's beak and beady eyes, the broad smooth forehead unwrinkled, the indeterminately-coloured eyebrows unknitted; and her little

bright face, the green eyes bent on him adoringly.

Morry gave judgment. "I should say she was not speaking the truth."

The prescribed answer was "A liar."

In Morry's thirteenth year his father was made bankrupt, and the family left Mirfield.

Two years later, I went to stay for a few days with the Abramsons at Brixton. The house was small, and there were ten people living in it. The two elder boys, Dan and Joe, were grown up and went to business; Jessie, the eldest girl, was a teacher; but Mr. Abramson was not prospering as a commission agent, and the housework had to be done by Mrs. Abramson, Jessie, and Sarah, who had appeared in the world next before Morry. There were three younger children. Mrs. Abramson was unfailingly jolly despite her trials and her increasing stoutness, which made it difficult for her to get about; Sarah had a genius for management, and Jess did not grumble at having to get up early in the holidays; she was working for an examination in every spare moment. They were all very kind to me; but the house was overcrowded, noisy, and, as I thought, their way of living was messy. No doubt, I was something of a snob. Morry had not changed much, or if he had, I did not notice it. He was still my playmate.

CHAPTER II

No Fool Like——

I was eighteen, in the sixth and a prefect at my public school, when Morry came to Mirfield again. He seemed to me a very suburban London youth indeed; naturally, he had acquired manners and standards of conduct at his day-school which were different from mine. Also, he was a swot—he actually thought school work important! I must have betrayed my sense of superiority, for Nesta took me to task.

"Who are you to look at Duff and speak to him like that? He has more brains than you have!"

I put on my loftiest air. "Very likely. But there are a number of things he does not know."

"What?"

"What is good form and what isn't, for one thing."

"Good form!" exclaimed Nesta scornfully. "Pah!"

I seized her by the arm. "Cheeky kid!"

"Let me go, Dick."

"Not till you apologise."

"Do you really want me to apologise?" Nesta put her head on one side and smiled sweetly into my face.

I suddenly became aware that although Nesta had not grown up much, she had grown into a pretty girl. I had continued to look on her as plain—that is to say, I had never thought about her looks. But the gentleman of the sixth is at the waking-up point. I woke up.

Her green eyes had sparkles in them. Her cheeks were rosy, her skin like alabaster. Her bow of a mouth was richly red, her sleek hair a beautiful golden brown.

I let her go.

After that I was jealous of Morry because he was on such good terms with her. They went for walks together; I was with them, but they were walking together. They danced together, and Nesta smiled up at Morry with her head tilted; I knew somehow that she would only do that to someone she liked very much. Moreover, she took pains with Morry: my shaft about good form had gone home.

I tackled her as to this. "I notice you don't take any trouble over me."

"Oh, you! You are Mr. Know-All. No one could teach you anything."

"There is one thing you might teach me, Cockles."

"What?"

"How to make you like me better."

Her green eyes glinted mischievously. "Sir," she said, "if you cannot find that out for yourself, no one can teach you." Which I have since found to be true—not only in regard to Nesta.

I decided to let Morry know that I was in love with her. Then, if he were too—as I rather hoped—we could agree to be honourable rivals in accordance with tradition. Imbued by this romantic nonsense, I invited him to go for a walk with me alone. While I was revolving how to put what I had to say, Morry remarked:

"You are for Oxford, I suppose?"

I said I was going up to Christ Church next year. "Are you likely to be coming up?" I knew that his father could not afford to send him to a university, but it seemed polite to ask.

"No. I intend to try for a school in London."

London was not a university in my eyes.

"You see, Dick," Morry went on, "there is no money to spare. I ought to go to business and earn something. But I want to be a barrister."

"Oh? That is rather expensive."

"Yes. I must manage as cheaply as I can. If I take honours, I might be able to get into Montagu's chambers. He is a friend of one of my uncles, and I think he would give me a chance."

Montagu was a well-known barrister. I became interested.

"Couldn't you manage Cambridge?" Cambridge was, in my eyes, a mere second best to Oxford; but still, it was a second best.

"I don't think so. I must live at home. It is rather hard on the old man anyhow, because he can only just make ends meet as it is. Jessie is married, so we have lost her contribution to the expenses. But Dan is getting on splendidly, and Joe is doing better now; they are quite willing for me to have a shot at the bar."

"Good sports!" said I carelessly, and then found myself realising the difference between Morry and myself as to opportunities. It came to me with a shock that much on which I prided myself was merely the result of that difference. If it had been my father who got into difficulties instead of Mr. Abramson—

The result was that I did not tell Morry about my passion, because it seemed as if it would be taking an unfair advantage. I decided instead to watch him and Nesta while discreetly pursuing my own courtship, and if I came to the conclusion that she preferred him, to retire and nurse my wounded heart in silence. It is difficult now to be serious over it; but I was desperately in earnest then.

I wrote to Nesta regularly after I went back to school, and, while not daring to make my letters into love letters, contrived to slip in a little something here and there which would give her a handle if she wished to respond. Nesta did not respond, and after I went to Oxford I forgot that I was in love with her. I do not remember what—or who—was responsible for this.

My mother died, and I became independent of my father to the extent of four hundred pounds a year. I decided for the diplomatic service. A couple of years later my father also passed into the silence, and when his affairs were investigated a curious situation arose. He had not been as well off as we supposed, and had never made a new will since he adopted Nesta, who had no money of her own. We tried to keep this from her; she was told that she would share equally with us; but when she learned how much her share would be, she refused it.

"If that's all you are going to get, I won't touch a penny, it's not much."

We represented to her that we had our mother's money.

"That has nothing to do with it."

She was informed that she would have to take her legacy.

"Why? What does the will say?"

This was an awkward point to deal with, and I suppose we bungled it, because in the end Nesta discovered that she was not mentioned in the will at all. Then, nothing would move her.

"Uncle Alwyn took me in when I was left penniless, brought me up and educated me, gave me a dress allowance the same as you"—this was directed to my sisters—"I can earn my own living, isn't that enough?"

We protested.

"If you try to force me, I shall go abroad, I won't have it."

I was deputed to persuade her.

"Do be reasonable, Cockles," I said as we walked in the dear old garden, soon to be surrendered to a stranger. "If you don't take it from us, Aunt Betsey is sure to insist on allowing you something."

Nesta's paternal grandfather and mine were brothers; their father married again when they were grown up, and Aunt Betsey was their half-sister. She married Henry, fourth earl of Wrenford and seventeenth baron Youatt of Markhamsted, who was reckoned the head of the family, although belonging to a younger branch. Uncle Henry had died some years before, but Aunt Betsey still had Markhamsted by arrangement with his nephew Tom, who had succeeded him, Tom being a drunken waster who preferred cash to responsibilities. Nesta was going to stay with her.

"She could afford it, but I shan't take it from her either, you can't. Don't you believe I can earn my living?"

"I am sure you can. But suppose you get into a bad place? If you are dependent on your salary, you will be afraid to break away. Whereas if you had funds to draw upon, you could leave and try for something better."

Nesta was not impressed by this businesslike argument. I went on until she stopped me with:

"It's no use, Dick, you are all three perfect dears, I have made up my mind about it."

She had linked her arm in mine as we strolled. Now she squeezed it, and looked up at me with glistening eyes. The fiction that I was in love with her came back. I fancy that I had as well a confused idea of acting nobly to save her from what was in those days a perilous experiment.

"Then—will you marry me?"

We stood still, facing each other. Nesta stared.

"Oh, Dick, are you really in love with me, what a darling you are, I wish you weren't."

I said I was—in love with her, not a darling; I think I swore it. Her eyes grew very tender; she was wise enough to guess the truth. I mistook the meaning of the look, and, with a quickly-beating heart, tried to draw her to me. She put out her little hand to ward me off.

"I couldn't," she said definitely. "Don't you know why?" I didn't.

"Because—oh, surely you must have seen."

"Is it—Morry?"

Her breast heaved, she flushed, and tears came into her eyes. "You won't give me away, will you? I should never have told you but for what you said just now."

Another young man might have been excused; Nesta, at nineteen, was bewitching enough to make a fellow lose his head. The epithet oftenest applied to her, "fairylike," did not really fit; Meredith's "dainty rogue in porcelain" came nearer; but Nesta's elfishness and roguishness were only superficial, and there was nothing she resembled less than a china figure. She was wholly human and warmly affectionate, with a temper-jet like a salt flame to keep her lovingness wholesome and sweet. Just because her affection for me had always been frankly expressed in look and tone and deed, I knew that she regarded me as a dear brother. I knew, too, in my heart, that I did not love her in the sex sense. There was no excuse for me.

The recollection of that evening scorches me whenever it recurs. I may plead, now, that nothing is more difficult for youth than to be certain of the genuineness of its emotions.

CHAPTER III

The Headlight

I was in England on leave, spending the last week of it at a country-house near Redminster. I cycled into the town one afternoon, and met Morry in the High Street. He had been at the bar for some considerable time then.

I dismounted. "What's brought you here?"

"The assizes begin to-morrow, and I have a case for the Crown."

"You must be getting on."

"Not so badly. What are you doing in these parts?"

"Staying with the Cavershams."

"Ah." Morry had developed a legal manner. "Have you anything special to do this afternoon and evening?"

"No."

"Then let us take a walk, and we will eat together."

We left the town, exchanging news.

"Cockles is at Montpellier," I remarked in the most casual tone I could assume. "She is companion to an old lady, a school friend of my mother's."

"Yes. She wrote to me soon after she went."

So they corresponded. I was glad to hear that.

"Do you know about the trouble we had with her after my father died?"

"No."

I told him. "We persuaded her in the end to take something." (That was an accidental result of my lunacy: Nesta had consented to a compromise.)

"She is very fond of all of you," said Morry.

I tried to be artful. "She might marry, and it makes such a difference to a girl then if she has something of her own, even if it is only a little."

Morry looked at me as if he were uncertain what I had in my mind. "Have you been making plans in connection with her?"

"Yes, to some extent—that is to say, it has occurred to me—but I wasn't sure about you."

I do not recollect that there was a pause, but there may have been, before Morry said in a grave tone: "It will be years before I am in a position to marry, Dick."

So he did care for her. I wondered whether he had told her so.

"You see," he went on, "a good deal of responsibility has fallen on my shoulders. There are five of us still at home: my father and mother, Sarah, myself, and Matt. I am the only one who earns anything. My father potters about the city, but he only makes his expenses. Dan is very good; he has assisted me until lately. But he has three children now, and it would not be right for me to allow him to do so any longer."

"What about Joe?"

"Joe has not made a success. He goes from one thing to another. He, too, is married, and it is as much as he can do to keep himself and his wife and child—more, sometimes. I owe them both a debt,

Dick, and I owe Sarah a debt, too. She might have married years ago—at least, there was a project to that effect; but the man wanted something with her; and my father could not give it and at the same time find the money for me to train for the bar. Judith has secured a good post—she is teaching—but there is Ben at Cambridge. He won a scholarship, but, of course, he has to be helped. Matt is still at school. He must have his chance. So, you see, marriage is beyond my horizon."

I acquired a new respect for Morry. I said: "I am very glad you have told me this."

"Ah." He began to talk about his professional prospects. "I am in Montagu's chambers. Did you know that? He has been very kind to me. It is owing to him that I am here now for the Crown. The case is one of murder and robbery, and has points of interest. The crime occurred seven miles from here, at a village called Frey. I thought I would go and have a look at the place this afternoon. Have you any objection?"

I said I had not. "Tell me about the case."

"Have you ever been to Frey?"

"No."

"The situation of it is peculiar, and the peculiarity is of some importance. It occupies the head of a peninsula made by the river, and the neck of the peninsula is taken up by Frey Park. The road to Frey runs through the middle of the park, each half of which is surrounded by a high wall; and on the river-banks, at each side, the park walls go sheer into the water. The consequence is that there is only one

way to get to Frey by land—along the road. There is a ferry, by which one may cross the river in the daytime, but I don't think that has any bearing on the case.

"The crime was committed during the night of the twenty-sixth-twenty-seventh October. The victim, Mrs. Sutlin, was a widow. She lived alone in a semi-detached house on the west side of the village: the adjoining house had been vacated in September. There is a garden abutting on the river-bank. The prisoner, John Jafes, lived with his wife and his wife's sister in a cottage on the other side of the village; his garden also goes down to the river-bank. He had no regular occupation. He depended on his garden, his bees, and odd-job work; his wife keeps fowls. In previous years they managed to pay their way, but last season everything went wrong. Jafes earned very little, the garden did badly, there was little honey, and most of the chickens died."

"Poor devils! Couldn't they get help?"

"I gather that Jafes was unwilling to accept help. He seems to be an independent person. Mrs. Sutlin was seen alive on the afternoon of Thursday the twenty-sixth, about half-past five. Probably she was alive until after ten o'clock; her light was visible until then. The night was a stormy one. Rain began soon after eight, and became heavy an hour or so later, lasting through the night. The next morning, at half-past nine, a neighbour, a Mrs. Bone, went to the front door. Receiving no answer to her knocks, she opened the door and went in."

"Wasn't the door locked?"

"No. It had a trick latch. Presumably Mrs. Sutlin thought that a sufficient protection. Mrs. Bone went into the kitchen: seeing that Mrs. Sutlin had not been down, she went upstairs to find out if she were ill. She found the body half in and half out of bed. There was a gaping hole in the side of the head, a sort of deep double cut, which had bled profusely."

"What a horrible sight to come on unexpectedly!"

"Yes. The room contained a nest of drawers, a stout piece of furniture made of oak. The front of the bottom drawer had been smashed in, the drawer was pulled out, and on the floor lay a japanned iron cash-box which had been pried open. The cash-box was empty.

"After ascertaining that Mrs. Sutlin was dead—the body was cold and stiff—Mrs. Bone went to the post-office, and the postmistress called up Stag's Head, asking for the policeman to come. The constable at Stag's Head telephoned to Redminster for the inspector and a doctor, and then went to Frey. He looked at the kitchen window, and saw that it had been forced. He also noticed that the back gate was open. There is a special significance in both details which I will explain presently. By this time a crowd had gathered, and the constable was told that Mrs. Jafes had been to the village shop that morning and changed a sovereign. He thought this deserved inquiry, and went to the cottage. The door was opened by Mrs. Jafes; Jafes was sitting at the table, smoking; Mary Faith, his sister-in-law, was in bed."

"In the same room?"

"Yes—there is only one, a lean-to scullery. On

the table were the remains of a meal consisting of bacon, bread, butter, and tea."

"Chops and tomato sauce, Morry. Also the warming pan."

"What?"

"*Vide* 'Pickwick.' You recited the breakfast menu as if it imported criminality."

"I am quoting the constable. The details have a certain significance."

"I apologise."

"The constable said: 'Where did the spread come from Jafes?' Jafes replied that it came from the shop. The constable said: 'But you were owing money at the shop, weren't you?' and Jafes flared out at him. The constable asked Mrs. Jafes where she had got the money from which to pay for the things she had bought that morning. Jafes said he gave it to her. Where did he get it from? He told the constable to mind his own adjectived business, and go."

"Did the bobby tell him about the murder?"

"No."

"Then is this evidence?"

"Some of it. But Jafes had not been warned. The constable reported his discoveries to the inspector. The inspector made a careful examination of the bedroom, and found in the edges of the cuts in the drawer-front traces of blood, and even minute portions of brain matter. He also found a towel lying on the floor, crumpled but otherwise clean. It had been taken by the murderer from the drawer, presumably for the purpose of avoiding finger marks on the cash-box while he pried it open; at any rate, a micro-

scopical examination made subsequently showed no traces of finger marks on the japanned surface, which was admirably adapted to receive them."

"That looks as if the murderer were a person of intelligence."

"It does. But the prisoner is not, according to what I am told."

"He may have read something about finger marks leading to detection, and taken precautions in consequence."

"That might account for it. No other positive indications were gathered on the premises. But there were negative indications of value. There was no sign that anything had been taken except the contents of the cash-box. Apparently, on entering the house, the burglar had gone straight through the kitchen into the hall and upstairs to the bedroom used by Mrs. Sutlin; and when he had finished his work, straight out again. Nothing in any other part of the house had been disturbed, and the bedroom had not been searched. Mrs. Sutlin's clothes were lying neatly folded on a chair, as it may be supposed she left them. There was a small sum of money in the skirt pocket. Articles of jewellery lay on the dressing-table—a gold watch, worth two or three pounds; a gold brooch, worth about thirty shillings; and a rolled-gold bracelet of the same value. Everything had been ignored except the money in the cash-box.

"Now, the indications, as I see them, point to robbery having been planned by someone in the village who was familiar with Mrs. Sutlin's habits, and whom she knew well, but who was not of her class."

"I don't see how in the world you get all that."

"The inference that the criminal was a local resident arises partly from the out-of-the-way situation of the place and the fact that no stranger had been seen there for some weeks; also, except for one person, no one who did not live in Frey would be likely to know that the adjoining house was vacant. As to her habits, the criminal knew that she kept her money in her bedroom, and exactly where in her bedroom. He went straight to the drawer after killing her—I think that is a fair deduction from the blood and brain matter in the cuts in the wood and the fact that nothing else in the room had been disturbed. Third, the position of the body, and the fact that it was clad only in a nightdress, show that Mrs. Sutlin was killed while trying to get out of bed. It looks as if she had been awakened by some sound, perhaps the opening of the bedroom door, and was struck immediately after. Had the burglar been a stranger to her, and on entering her room found her getting out of bed, he might have taken the risk of trying to silence her, and killed her as the result of a struggle; but she was attacked on the instant, and with the most determined savagery."

"You mean that he had to kill her because she knew him?"

"Yes—and if he had let her live, would have denounced him."

"I see."

"The fourth inference, that the murderer was someone not on an equality with Mrs. Sutlin from a social point of view, is to be drawn from the fact that the

kitchen window had been forced when the house could easily have been entered by the front door, provided the trick of the latch were known. I don't know that the wrenching open of a window necessarily involves much noise. But it involves some. Mrs. Sutlin might have been awakened by it, and opened her bedroom window and screamed. It looks as if the murderer, although he knew the house well, had not been accustomed to enter it by the front door."

I agreed.

"The inspector made these deductions. Jafes did Mrs. Sutlin's gardening for her, and sometimes other jobs. He saw that Jafes filled the bill, and thought his possession of gold a suspicious circumstance. He went to the cottage, told Jafes of the crime, and warned him that his answers to questions might be used against him. That was, of course, the proper thing to do."

"Quite. What did Jafes say?"

" 'He appeared struck all of a heap,' to quote the inspector. Asked how he had obtained the sovereign which his wife had changed, he refused to say. The inspector told him that he was not obliged to answer, but if he could account for the possession of the money, it would be wise for him to do so. Whereupon Mary Faith cried out: 'Why don't you say that Mr. Tessier gave it you?' Jafes told her to hold her tongue."

"Who is Tessier?"

"Mrs. Sutlin's nephew. He lives at Threadwell, but he had been at Frey the day before, visiting his aunt."

"Why should Tessier give Jafes any money?"

"The question is rather, why should Mary Faith say that he had done so? Because she knew that the money had come out of Mrs. Sutlin's cash-box, and jumped at the nearest plausible explanation she could think of? People do that when taken by surprise. Or had Jafes told her that Tessier gave it to him? However it may be, the inspector could get nothing from Jafes except persistent denials that he was concerned in the crime. He said that he had not been out of the house since dusk the previous evening.

"The inspector telephoned to Redminster for a warrant to search the cottage, and a warrant to arrest Jafes if the result of the search justified it. He also telephoned to Threadwell, requesting the police there to see Tessier and ask him certain questions. Tessier said that he had not seen Jafes the previous day, and had never given him any money at any time. When informed of what had happened, he guessed that Jafes was suspected, and volunteered two pieces of evidence. The first was about the back gate. He said his aunt had complained about Jafes having wasted his time in putting it to rights without being told to do so. Mrs. Sutlin never used it. There was no purpose for which she could use it, for it only leads to the river, and there is no path along the river-bank."

"Why was a gate put there, then?"

"I don't know. The house is an old one, so it may have been for the purpose of obtaining water when there was no pump inside. Anyhow, it had not been opened for many years, and had been overgrown by

vegetation. The second piece of evidence volunteered by Tessier was, that a fortnight before his aunt told him about the gate she had taken him into her bedroom to show him a broken window-cord, and asked him if he could mend it. He told her he could not; it was a job for a skilled man. The next time he went to Frey, his aunt said that Jafes had mended the window. The inference is that Jafes spent some time in Mrs. Sutlin's bedroom, discovered the locked drawer, and guessed what was in it; and made the back gate to open so that he could get in from the river-bed."

"Why should he want to get in from the river-bed?"

"You will hear in a moment. Let me finish with what Tessier said first. He did not know how much money his aunt was likely to have had in the house; it might have been anything up to a hundred pounds. She had no bank account. He cashed her dividend cheques and took her the money. He had taken her forty-four pounds on October twelfth, and he thought she probably had something in hand then. Her income was about a hundred and twenty pounds a year, and he did not think she spent it all.

"As soon as the inspector had received his warrants, he searched the cottage. Several important discoveries were made. There was a quantity of bloody rags in a pail, blood stains on the floor, and blood on a spade in the scullery."

"Didn't they find the rest of the money?"

"No. But, when they went into the garden to see if there were any signs of its having been buried

there, they found something highly significant—Jafes' footmarks, down to the river and back."

"Why is that specially significant?"

"Because he had denied that he had been out during the night. The footmarks proved that he must have been, and after midnight; the rain was not heavy enough to soften the ground before then. Why should he deny that he had been out, unless his going out were connected with the crime? Why couldn't he have said: 'I went down the garden for a bucket of water?' He got his water from the river."

"That's true. I see now."

"There is more in it than that, taking it in conjunction with what followed. When Jafes was arrested it was found that his clothes were damp. Now, put things together. Tessier's evidence about Jafes' conduct as to Mrs. Sutlin's back gate; the fact that it was found open on the morning after the crime; the footmarks down his garden; and the fact that he had been wet through. The way for him to get to Mrs. Sutlin's house without being seen and without leaving tracks was by the river-bed; once on the stones, he had only to walk along them, enter her garden by the back gate, and walk along a tiled path to the kitchen window. There are steps leading up from the river-bed to the back gate. Consequently, except in his own garden, there would be no footmarks. But it was a long way, and rough walking, which accounts for his getting wet through."

"It looks like a plain case, Morry."

"Hardly that."

"Why, where's the doubt?"

"There is something to be said on the other side. I will finish the evidence against Jafes. He had another sovereign in his pocket. It happened to be an Australian sovereign, and when it was shown to Tessier, he said that among the coins he had taken to his aunt on October twelfth there was one like it. When Jafes' clothes were examined, a large patch of blood was found on the trousers. Also, in the cottage the police found a hatchet, which they think is the weapon with which the crime was committed. There is a spot of blood on the edge of the blade. Jafes offered an explanation of the last two items. He says that he caught a rabbit in his garden the week before. He skinned it on his knee, and his wife chopped it up with the hatchet. The analysts say that the stain is undoubtedly human blood and was fresh; as to the speck, they are not sure whether it is human, and they do not think it was fresh."

"That seems a small detail. Why aren't you satisfied with your case?"

"I am satisfied with it, on the whole. But it would be more satisfactory if the police had found the rest of the money."

"Yes, that is queer, certainly. I suppose they searched the place thoroughly?"

"It is not on the premises. They think Jafes must have hidden it somewhere along the river-bank."

"That isn't at all likely, if he's a countryman born."

"As far as I know, he is country-born. Then I am not satisfied about the weapon. The police consider that the spot of blood on the axe-blade is evi-

dence. It does not seem to me of any value whatever."

"But isn't there often a link missing in a case like this?"

"Very often. Does anything else occur to you? Suppose you were defending Jafes, what line would you take?"

I said something fatuous.

"I should say that someone else might just as well have done it."

"Who?"

"I should not say whom. But I should frame my questions in cross-examination, especially to Tessier, in such a way as to give the jury the idea that he might be the guilty party. Setting aside his evidence, and the forcing of the window, he might just as well have done it as Jafes."

This startled me. I considered the suggestion. "You mean, that he knew where Mrs. Sutlin kept her money and so on, but that if he had done it he would have entered the house by the front door?"

"One would think so?"

"What sort of a fellow is he?"

"I came down this morning, instead of this afternoon, to find out. The idea that he might have done it occurred to the inspector on the morning of the discovery of the crime, and he devoted pains to it. When he rang up the police at Threadwell, he asked them about Tessier, told them to use certain precautions as to questioning him, and to make, with all possible speed, the fullest inquiries. In his opinion, the results negative the possibility that Tessier did

it, and I agree with him. Tessier bears an excellent character. He has lived in Threadwell for several years, and everyone speaks well of him. He sings in the church choir. His employer—he is with an accountant—says that he is steady and reliable. Firms in Bristol, where he goes twice a year to do the preliminary work of audits, say that he behaves well as a temporary member of their staffs. He does not appear to have saved money out of his salary of three pounds a week, but that may be due to a weakness for the company of young ladies. His landlady—he lives in lodgings—says that he 'sometimes lets things run for a week or two,' but she evidently has confidence in him.

"A circumstance which contributed to make the inspector careful was that he discovered Mrs. Sutlin's will, and found that most of her money was left to Tessier. As to that, Tessier, on being questioned about it, said frankly that he thought his aunt would probably have left him something; she used to give him presents—a few pounds at Christmas, and a pound or so when he brought her dividends—and always said, when she did so, that it was because he would not come in for much when she was gone. From this, he 'supposed he was down for a bit.' "

"That sounds reasonable."

"Perfectly reasonable. The chief constable also tells me that a watch was kept, unobtrusively, on him for some weeks after the crime. There was no sign whatever that he was in possession of any unusual sum of money. He seems, on the contrary, to have been subdued in his behaviour. Habitually, he is,

in an innocent way, something of a squire of dames. Since the murder, he has mostly remained in his lodgings out of business hours, indulging himself but little even in his other pastime—cycling. That brings me to what is the only suspicious circumstance in regard to him, if it is one. He was fined, a year ago, for riding at night without a light."

"Pooh, that's nothing. Anybody might be caught without a lamp."

"He was caught late—after midnight."

"I used to ride all night."

"Did you?—The inspector thought it might possibly have a certain significance. However, Tessier reached home soon after seven, and there is every reason to believe that he did not go out again. If he had, his landlady would almost certainly have heard him, the house being small: he must must have got wet through, his bicycle must have been muddy, he would most likely have shown signs of fatigue next day—one would think, also, some sign of uneasiness. There is not a scrap of evidence of anything of the kind. Further: if he went back to Frey, how did he get there? He did not go all the way on his bicycle; there were no tracks on the road from Stag's Head to Frey in the morning. It seems improbable that he would leave his bicycle at Stag's Head and walk—two miles each way. He might have reached the river opposite Frey by riding through the lanes; but how could he have crossed it? The ferry-boat was chained and padlocked, and he is no swimmer."

"I don't know why you are bothering about him. The only thing I see against him is that he is a per-

fectly good boy. I distrust perfectly good boys."

Morry swung round on me. "Do you?"

"Except you, of course."

"I was not a good boy, Dick."

I wanted to laugh. Morry was so solemn over it.

"I was not. I made a fool of myself while I was attending Univ. over billiards."

This upset me completely. Billiards!

"No, but really," persisted Morry. "I got into the way of playing for shillings and half-crowns, and I couldn't afford it. I had nothing at all of my own then. Every penny I had came from my father or Dan. I had no right to risk their money in gambling."

"Did you lose?"

"No. I made a profit."

The welkin rang with my shouts.

"That makes no difference as to the rightness or wrongness," said Sobersides. "I might have lost. Beside that, I got into debt. I owed a tobacconist in the Westminster Bridge Road one and twopence for cigarettes—four packets at threepence-halfpenny a packet—for a month; I had no money to pay him with."

As soon as I could control my utterance, I said: "Charlie Tessier is about on a par with you. He runs after girls and sometimes owes his landlady weekly shillings. Seriously—there is no reason whatever to suppose that he committed the crime, and every reason to believe that Jafes did. You think so yourself."

Morry said: "I think Jafes must be guilty, but I

think that if I were defending him I could get him off. However, my business is to secure a conviction. I hope he will be well defended."

This seemed to me an extraordinary mental attitude. I was meditating over it when Morry said:

"Well, there you are."

We had come to the crest of a rise. Below us, a couple of miles away, was Frey, the loop of the river silvery in the sunshine.

Morry had a letter from the chief constable authorising him to go over the widow's house. We called on the policeman at Stag's Head, and he accompanied us to Frey. Then I saw why Mrs. Bone had gone to the front door, instead of the back, as a neighbour would usually do in the country. The space between the side wall of the house and the garden wall was occupied by a tool shed. The shed was open to the back, and the door at the front had no lock, so no doubt Jafes had been accustomed to go through it when he came to work; but Mrs. Bone would probably not do so. We went in that way, and entered the house by the back door. The kitchen window was a hinged one, easy to force. We were taken through the hall to the front door, and the working of the trick latch was explained to us; upstairs to the bedroom that had witnessed the horror—a mute room; then down the garden to the back gate, really a door in the wall, opening on a flight of worn stone steps that ended in the pebbles of the river. It had a heavy wooden latch and bolt, but no catch for the bolt; Mald, the policeman, said that the latch must have failed to fall when the murderer closed the door

behind him, or else the wind must have blown the door open afterwards.

We walked across the village to see Jafes' cottage. It was a hovel with a hutch at the back, and stood opposite the church. A woman came to the door for a moment, and looked at us. I was struck by the expression of her face. Intense resentment. Baffled rage.

"Who was that?" asked Morry.

"Mrs. Jafes, sir," replied Mald.

"Ah. She is not a witness."

"Why isn't she?" I inquired.

"We are unable to call her because a wife cannot be compelled to give evidence against her husband."

"I know that. But she might be called for the defence."

"I understand that she has no evidence bearing on the issue to give. She told the police that she slept all through the night, and does not know whether her husband went out or not. The other side are going to call her sister, who says that she was awake all night, and that Jafes did not go out."

As we moved away, the church clock clanged the hour, each stroke of the bell vibrating clearly in the still air.

We crossed the river in the ferry-boat, a clumsy flat-bottomed barge with a ratchet wheel, worked by a handle, over which ran a chain; when the boat was not in use, the chain lay across the bottom of the river. From the farther bank a lane led in the direction of Redminster.

"Why weren't you called to the bar, Dick? Then

we could have borrowed a wig and gown and you could have come into court. I have an infernal ass of a fellow with me. He can't say anything except 'I see your point.' "

I am ashamed to say that Morry had annoyed me by the way in which he had explained why Mrs. Jafes could not be compelled to give evidence. He had assumed that I knew no law, whereas I did know a little—at least, I thought I did. The assumption that I had not been called to the bar annoyed me afresh.

"Called?" I retorted. "Of course I have been called. I am just as much a barrister as you are."

Morry swung round and stared at me. "I did not know that. You never told me."

"I didn't think about it."

"Ah."

My conscience reproached me. For him, to be called had been for so many years a far-off goal, and such tremendous sacrifices had to be made to reach it that he had been unable to conceive anyone taking it as a mere incident in the stereotyped career. I had rubbed in the difference between us. I cast about in my mind for some means of atonement, and found nothing better than a change of conversation. Apropos of murders and circumstantial evidence, I began to tell a story connected with the house at which I was staying. It was a good story, and I thought Morry would be interested. He was not interested in the least; he did not appear to be listening. I thought this was in consequence of my unfortunate failure in tact. I might have spared myself; it was simply an

instance of habit of mind which he had acquired; but it was not until five years later that I saw enough of Morry to realise that he had ceased to be interested in anything that did not in some way concern him, and I sat down to dinner in a very humble and repentant mood.

The other man had arrived, and he certainly was an ass. He would talk to Morry about the case, and in the style of one experienced K.C. to another. After dinner, he melted away. I imagine that he went to join the promenade in the High Street.

I lit my pipe, Morry his cigarette. I said:

"Morry, I should like to come into court and help you as far as I could. But oughtn't I to be made a member of the circuit before I appear?"

Morry beamed. "I can arrange that. Will you really? My dear fellow, I shall be so proud. Have a look at the papers. There are maps and plans and photographs of footprints and all sorts of things."

We went over them together, and I knew I was forgiven.

The court was crowded with people, many of whom had been waiting outside in the rain; the heat of their bodies, pressed closely together, produced a malodorous steam which filled the room. During the preliminaries, most of them stared at the "exhibits," craning their necks to get a glimpse of the hatchet, the two sovereigns, and other articles which lay on the clerk's table. The chest, with its battered bottom drawer, stood beside it. Below us, on the other side of the court, sat Mrs. Jafes and a thin pale woman somewhat like her; both were in black.

Morry began his opening speech by describing the circumstances connected with the crime, and the discovery of it, much as he had done to me the day before. His manner was restrained; he seemed to feel the seriousness of his task. Then he summarised the case against Jafes.

"There is evidence that, prior to October twenty-sixth, the prisoner was very hard up. There is evidence that, two or three weeks before, he had an opportunity to find out that the bottom drawer in that chest was the only one locked. There is evidence that he afterwards cleared the back gate so that it could be opened, without any instructions from the deceased to do so. There is evidence which goes to show that he went out during the night when the crime was committed, late, and that he was out for some considerable time. The next morning he had in his possession those two sovereigns which are lying on the table. You will have an opportunity of examining them later, and then you will see that one of them is an Australian sovereign, bearing the mark of the Sydney mint. There is evidence that such a coin came into the possession of the deceased a fortnight prior to the murder. The prisoner refused to say how those two coins came into his possession; he offered no explanation at all. His trousers were freshly stained with human blood. On these and other facts, when I have established them by the evidence of the witnesses I am about to call, I shall ask you to find the prisoner guilty."

He called Mrs. Bone first, then the doctor. The defence was in the hands of a young barrister named

Valentine. In cross-examination, he elicited from the doctor that there was nothing to show that the wounds had been inflicted with the hatchet in particular; they might have been caused by any heavy, blunt instrument.

When Mald, the constable, had told his story, Valentine tackled him. Mald had to admit that he and Jafes quarrelled in July, at the Stag's Head Flower Show, and did not speak to each other after that until the morning when the crime was discovered. Valentine smiled meaningly at the jury as he sat down. Morry rose.

"Just a minute, constable." Mald was stepping out of the box. "You told us that while you were waiting at the deceased's house for the inspector, you received certain information, in consequence of which you went to the prisoner's cottage."

"That's it."

"Were you actuated in any way by ill-feeling towards the prisoner?"

"No. I did my duty."

"In your judgment, the information was such as to necessitate a prompt inquiry?"

"Yes."

"I think the jury will agree with you."

Then we had the inspector, who gave us the results of his search. "In a teacup on the mantelpiece there was fifteen pence in coppers. In a paper on the table there was half an ounce of tea; in a packet nearly a quarter of a pound of sugar. In the lean-to I found two sacks full of potatoes in a semi-rotten condition."

Next Mrs. Bunnett, who kept the shop, was called to prove that all the food in the cottage, except the potatoes and a little rice, had been bought from her that morning; she said Mrs. Jafes paid what was owing and spent one and sevenpence.

It was my first experience of a trial, and the minuteness of these details caused conflicting feelings. I was impressed by the scrupulous accuracy; but the pitifulness of the story which they revealed! From the legal point of view Jafes was being well defended. Valentine missed nothing. Morry was fair; he corrected a slip made by one of his witnesses, a farmer called to help prove that Jafes had earned little during the summer. The farmer said that he had not employed Jafes since June.

"Don't you mean July?"

The farmer did. If Morry had let the mistake pass, it would have weighted the scale a trifle against Jafes unfairly.

After the analyst, Tessier went into the box. He said he had been in Bristol throughout September, returned to Threadwell on Monday, October second, and went to see his aunt on the following Thursday. It was then that she showed him the broken window-cord. On the next Thursday, October twelfth, she told him Jafes had repaired it. And the last time he saw her before the day of the murder, that is, on October nineteenth, she told him about Jafes' conduct in regard to the back gate.

"Did you take a sum of money to the deceased on October twelfth?"

"Yes."

"Was part of this same money in gold coin?"

"Yes."

"Did you happen to notice the coins?"

"One of the sovereigns was an Australian sovereign. I looked at that because you don't see many."

Morry directed that the coins on the table should be handed to the witness.

"Just look at those two coins. Does either of them resemble the coin you noticed among those you took to the deceased?"

"This one does. I think it is the same."

"At any rate, to the best of your recollection it is a similar coin?"

"Yes, exactly similar."

Valentine began by asking him whether he was sure that it was on October nineteenth his aunt told him about the back gate? He said he was.—Would he think again; wasn't it on October fifth, the first time he went to Frey after his sojourn in Bristol? No, it wasn't.—Did not his aunt say it had happened just before she told him of it? He understood her so.—Would he be surprised to hear that there was evidence, from neighbours, that Jafes had been seen working on the gate in September, and had not been seen working in the garden at all afterwards? Yes, he would.—Was he quite sure that he had not made a mistake?

Silence. Tessier seemed confused.

"Come, Mr. Tessier. You are not really certain about the dates?"

"I may have misunderstood auntie, but I don't think so."

I smiled to myself over Morry's suggestion of the day before that it was possible Tessier might have committed the murder. That fellow! He was a typical chorister, which does not mean that I suppose choristers to be impeccable—far from it; but as a class they are not prone to serious crime.

Valentine concluded his cross-examination by asking that the Australian sovereign should be handed to the witness.

"Is that coin in your hand one of the coins you took to the deceased on October twelfth?"

"I believe it is."

"That is not an answer to my question. Is that a sovereign which you took to your aunt?"

"I can't swear to it."

Valentine opened the best defence he could—at least, I thought so. After saying that Jafes had lived in Frey for nine years and that his reputation was that of a steady, industrious, and honest man, he referred to the way in which the case against him had originated.

"The constable bore prisoner a grudge, and saw that there was a possibility of satisfying it. He went to the cottage in order to let Jafes feel the weight of his authority, and was rebuffed. Then the inspector came on the scene, and built up the case by putting a sinister interpretation on a number of circumstances, each of which is capable of an innocent interpretation. I shall prove that the clearing of the back gate was done in September, before the prisoner had even a possible opportunity to find out where the deceased kept her money; I shall prove that his

conduct in clearing it without orders was of a piece with his conduct in general. I shall show that there is a probable explanation of his possession of the two sovereigns, that he had a reason for having hoarded them secretly, for producing one of them on that particular morning, and for his unwillingness to tell the police where he got them. Lastly, I shall prove certain facts in regard to the prisoner's capabilities which will convince you that it is in the highest degree improbable, almost impossible, that he committed the crime of which he stands accused."

He called "Mary Faith." The thin, pale-faced woman got up and went towards the box. I looked at the prisoner. He was watching her, and when she turned, facing him, in the box, it seemed as if mute messages were exchanged. What was he conveying to her? "Don't tell?" If so, her reply was: "Very well, I won't."

She answered the preliminary questions. Mary Faith. Twenty-eight. Married woman. Her husband had deserted her. No children. Had come to live with her sister and brother-in-law two years ago. Usually slept in the scullery, but had been sleeping in "the room" for a week prior to October twenty-sixth last because she was unwell, John sleeping in the scullery. On the evening of October twenty-sixth, John came in before it was dark. He sat in the room until he had had his supper, then he went into the scullery to lay down. That was at eight o'clock. Maggie was in and out between the scullery and the room for an hour; John spoke to her about burning the candle. Then she came and joined witness in

bed. She (witness) had not been asleep, and did not sleep during the night. She was in pain. John did not quit the cottage. If he had, she must have heard him.

(I felt sure this part of her evidence was not true, and I thought the jury had the same impression.)

In the morning, John said he had a sovereign. In reply to a question as to where it came from, he told Maggie to shut up. He said they would have a bit of a blow-out, as she (witness) was feeling better. He gave Maggie a sovereign, and told her to go to the shop and buy certain things. Maggie went out. While she was away, John said he had another sovereign, and that someone had given him both sovereigns "as a present like." He laughed when he said this. Then he told witness that it was Mr. Tessier who had given him the money; she was not to tell anyone, specially not Maggie. (This all sounded as if it might be true.)

Valentine asked two doubtful questions.

"Did you believe the prisoner when he said Mr. Tessier had given him the sovereigns?"

"I did then."

"Do you now?"

"No."

"I want to take you back to July seventeenth, the day of the Flower Show at Stag's Head. Did you attend the Flower Show?"

"Yes."

"Did the prisoner's wife go?"

Again Morry might have objected, but he let the question pass. The answer was "No."

"Did you see, from the prize cards placed on the exhibits, that prisoner had won several prizes?"

"Yes."

"Did he say anything to you, as to the prizes he had won?"

"Yes. He said he had won twenty-five shillings, but he was going to tell Maggie it was fifteen."

"Anything else?"

"He said he had done the same thing before."

"Is that why you now disbelieve his statement that the sovereigns he had on the morning of October twenty-seventh came from Mr. Tessier?"

Morry rose. "I really must object, my lord. My learned friend is seeking to get from the witness what she imagines——"

Valentine: "I am asking whether certain facts to which she has testified are the foundation for a belief which she has——"

Morry, unperturbed: ". . . what she imagines as to a source from which the prisoner might have obtained the coins produced in this case."

There was a wrangle. The judge upheld the objection. Valentine asked Mary Faith whether she remembered an occasion before the crime which might throw light on the case. She said that about a week before Jafes had brought in a rabbit; he said he had just killed it in the garden. He skinned it, and Maggie cut it up with the hatchet. She did it at the table, near where the bloodstains on the floor were.

"You had rabbits to eat sometimes, then," observed Valentine. "Did you ever have fresh fish?"

"Yes."

"Where did the fish come from when you had it?"

The witness coloured.

"John caught them in the river."

Valentine sat down. Her examination-in-chief was over. She thought that was all, and turned to leave the witness-box as Morry rose to cross-examine. The usher ordered her back. She returned, and stared at Morry as if she did not know what he could possibly want with her.

He began suavely:

"The prisoner's cottage is just across the road from the church, isn't it?"

"Yes."

"Can you hear the striking of the church clock?"

"Yes. We tell the time that way."

"Is that how you knew it was eight o'clock when the prisoner got up from the table on the night of October twenty-sixth?"

"Yes."

"And that it was nine when your sister joined you in bed?"

"Yes."

"Did you hear the clock strike ten?"

"Yes."

"In spite of the wind?"

"Oh, yes. The wind doesn't make any difference."

"Did you hear it strike eleven?"

The witness hesitated for an instant before she said "Yes."

"Twelve?"

The hesitation was longer this time. Morry leaned forward and said with terrible distinctness: "Are

you going to swear that you heard the striking of every hour throughout the night?" And the frightened woman stammered:

"I didn't go to sleep."

" Do you swear that you heard the clock strike each separate hour?"

"I—I must have done, but I can't say now that I remember it."

"That is quite a fair answer. I accept it. I believe what you say." He was soothing her as one soothes a frightened mare. "Another thing. There were no fish for breakfast on the morning of October twenty-seventh?"

"No."

He asked her a few questions about the skinning of the rabbit, and let her go. I don't think the prisoner had ever taken his eyes off her while she was in the box. Mrs. Jafes, too, had watched her, tight lipped, contemptuous.

Valentine's next two witnesses were called to prove that Jafes cleared the back gate at the end of September. Then the vicar of Frey went into the box. He said that he had employed Jafes not infrequently, and that Jafes did pretty much as he liked.

"I have had to remind him several times that it was my garden, not his, and that he ought to do what he was sent for to do, not just what he thought proper." As to character, the vicar said that Jafes was "honest but rarely attended church." This caused laughter. "But I don't consider him the sort of man who would commit a murder," added the good vicar explanatorily. He also testified that Jafes was a

handy fellow. "He has done odd jobs in the house occasionally. Also he made me two beehives, and they are quite equal in every way to the patent hives."

"Did the prisoner ever ask you for assistance?"

"Never. He refused it once, when I hinted at it."

Morry's address to the jury was a revelation to me. The manner of its delivery was as quiet as that of his opening speech, but now the facts against Jafes were marshalled with a deadliness that made each one, as it fell into place, seem like a soldier with a gun pointed at the prisoner's breast. I had never dreamed that advocacy could be so compelling; for, as Morry now told the story, there could be no doubt as to Jafes' guilt. The ground was cut from under Valentine's feet in advance; it was shown that there was nothing in the points he had tried to make.

"It does not matter whether the gate was repaired first and the window-cord after, or vice versa. The point is that the prisoner had an opportunity of learning where the money was, and knew that he could get to the house without leaving tracks." The details which had inspired me with pity for the accused man were used pitilessly against him. "Mrs. Jafes received elevenpence change at the shop on the morning of October twenty-seventh, and when the house was searched a few hours later, only one-and-three was found in it, apart from the second sovereign. Therefore, apparently, all the money in the house the night before amounted to fourpence." As to the hatchet: "I do not contend that the crime must have been committed with that particular instrument"—pointing to it. "What is incumbent on the prosecution, in such

a case as this, is to show that the prisoner had a weapon with which the crime might have been committed. The prisoner had such a weapon. There it is.

"Mrs. Faith would have us believe that the prisoner did not go out during the night. We know that he did go out, but it occurred to me that she might be speaking in good faith, so I tested her recollection as to the striking of the church clock. She did not remember hearing it after eleven, although, as she admitted, it was clearly audible at all times. So perhaps she was deceived by an experience common to all of us. She had a bad night, and dozed without knowing it." As to the Australian sovereign: "I do not say that it is the identical coin which Mr. Tessier took to the deceased on October twelfth——"

Valentine growled: "Then what do you say?"

Morry: "No one could say so, as the coin had not been marked beforehand. What I say is this. It would be something of a coincidence, in view of the comparative rareness of such coins in England, if two of them came into one small village at the same time."

Valentine burst out: "If you don't contend that it is the same coin, why did you bring in evidence to that effect? Either it is, or it isn't."

Morry: "I say that it is a suspicious circumstance——"

Valentine, rising: "My lord, I submit that my learned friend ought to say definitely that he contends that the coin is the same, or withdraw any allegation of the kind."

Morry argued that Tessier's partial identification was admissible for what it was worth. Valentine disputed this, and grew warm. The judge ruled in Morry's favour. "I shall direct the jury, at the proper time, as to what is to be taken as proved provided they believe the witnesses."

Morry pulled the net over the head of the doomed man by a graphic picture drawn from the evidence. "What was the prisoner's position on October twenty-sixth? The season was the brink of winter. There would be very little work for four months. A few shillings he might earn, tidying up gardens and digging them over. But not much. No farmwork. Farmers do not require extra help in the winter time. Four months, three mouths to feed, and his credit already pledged to the utmost. Not a bright prospect for him to contemplate as he lay on his pallet in the scullery, a prospect even more dismal than that of the bare room, lit, as the witness Faith told us, by a solitary tallow candle. No means of escape from it unless, on the one hand, he accepts charity—a course abhorrent to his proud, stubborn nature—or, on the other hand, he procures money—money.

"Fourpence was all he had. How was more money to be procured? Where was procurable money to be found? There was money in the widow lady's bottom drawer, and it could be procured if one resolved to get it whatever the cost might be.

"The wind got up. The rain became heavy. Had the prisoner been waiting for such a night as this, when no one would be about, and he could steal forth unperceived? Or did he go out that night,

when the rain was falling in torrents and the gale at its height, on an impulse? For, go out he did."

I had nothing to do until Morry had finished speaking, and it came to Valentine's turn to address the jury.

I took a piece of paper, part of a sheet I had torn in two, and torn carelessly. It is a habit of mine to use odd scraps of paper for literary purposes. I turned this scrap point uppermost—I don't know why—and wrote what I call a "picturesque note."

Morry finished his picture. "Is there, can there be any doubt in your minds that the prisoner murdered Mrs. Sutlin? You have yet to hear my learned friend for the defence, and I am sure you will give him the same careful attention that you have given me. It may be that a slightly different complexion will be put on some of the circumstances. But you must bear them in mind as a whole, and on the circumstances as a whole it is your duty to return a verdict of guilty."

After this, Valentine's speech seemed tame. He said that we had entirely failed to make out our case, that we had not even attempted to prove vital parts of it, such as that Jafes was left alone in Mrs. Sutlin's bedroom when he repaired the window, or that he went farther than the foot of his garden on the night of the murder, if he went out at all. Other parts had been disproved by the evidence of his witnesses. He tried to explain away some of the adverse facts.

"As to the prisoner's going out during the night, Mrs. Faith must have known if he had gone out after

Mrs. Jafes joined her in bed, because everything was quiet then; but she would not necessarily know if he went out before nine; she only heard him speak to his wife once. There was rain enough between eight and nine to soften the ground. I suggest that if he did go out, the evidence has supplied a reason for his doing so which has nothing to do with the murder of Mrs. Sutlin."

I happened to glance again at the prisoner. Hitherto, he had not appeared to take much interest in what Valentine was saying. Now he was staring in a frightened fashion at his advocate. Valentine paused, no doubt for the purpose of framing what he wished to convey; in the pause a brown sweat came out on the prisoner's face, and the Adam's apple in his throat began to jump up and down.

"I suggest," Valentine went on, "that the fish which occasionally appeared on the prisoner's table had been obliging enough to hang themselves on hooks during the night."

The artful beggar made it plain that he had set night-lines himself, and some of the jurymen smiled. I looked again at the prisoner. He was standing upright—he had been leaning forward—and the expression on his face was of relief.

This was all well enough, but it could not undo Morry's iron logic, to say nothing of the effect of his terrible picture. Then Valentine startled me with a really good argument.

"Look at that chest of drawers. Would anyone accustomed to the use of tools batter a drawer open in that manner? Is it credible that an ingenious fel-

low who could make beehives and take out window-frames wasted his time and made a lot of unnecessary noise when it was vital that he should be quick and quiet? A skilful carpenter like Jafes would have inserted the edge of the axe-blade between the top of the drawer-front and the ledge of wood above it, levered the ledge up, and had the drawer out in a few seconds without making a sound. Of course he would. That clumsy botch is the work of a man who never had the habit of handling tools."

This impressed me. A very little training in carpentry as a boy had led me as a man to open my desk, when I had mislaid my keys, exactly as Valentine suggested. But I don't think the argument had much effect on the jury.

Valentine wound up with a strong appeal based on the evidence as to character, in the course of which a little incident occurred.

"Even the witnesses for the prosecution testified to the prisoner's honesty. Mrs. Farren, the stallkeeper in Thrawley market, to whom the prisoner sold eggs and from whom he bought groceries, said——"

He looked down at his notes, could not find what he wanted.

I pushed mine towards Morry, and indicated a passage. "He means Mrs. Bunnett. She said that Jafes always paid up." I am ashamed to own that I was chuckling over Valentine's mistake.

Morry took my notes and passed them to Valentine. "Is this what you want?"

Valentine looked. "Oh, thank you."—To the jury: "I am indebted to my learned friend. It was Mrs.

Bunnett's evidence that I had in mind, not Mrs. Farren's. Mrs. Bunnet said . . ."

My inexperience led me to marvel.

Counsel for the Crown has a right to a final reply —a privilege which some people think should be abolished. Morry made a moderate use of it. He began exposing the fallacy in Valentine's contention that we had failed to prove all the steps in our case.

"My learned friend would have you believe that inasmuch as I have not produced witnesses to say that they saw the prisoner do this and that, you ought to acquit him. It is frequently the case, in regard to murder, that there is no direct evidence. The guilt of a person charged often has to be inferred, because precautions have been taken beforehand to escape suspicion or to baffle the law by providing seemingly good evidence which will afford a loophole for escape." Then he dealt briefly with most of Valentine's arguments on points of detail, and sat down. He did not refer to the way in which the drawer had been smashed open.

The judge prefaced his summing-up with compliments to counsel on both sides. Then he reviewed the evidence, impartially, and warned the jury that although they might feel a certain amount of pity for Jafes, that must not influence them as to the verdict. They could, if they found against him, recommend him to the mercy of the Crown. It would be for the authorities to decide, after reviewing the circumstances, whether it would be proper to extend clemency to him or not. The jury's duty was to return a verdict according to the evidence.

They began to talk to each other in the box.

I had been hoping against hope that Jafes would get off. But now, when, as I thought, the jury hesitated, I was filled with resentment against them. It seemed unfair that he should get off, after all Morry had done. In similar fashion, I have hoped that the fox would escape when I glimpsed him scudding off early in a run, and yet, if at the end of it some piece of luck has saved his brush, I have been vexed. Resolve the riddle who can.

"Guilty, my lord."

The judge gave a short homily to the prisoner, and invested himself with the black cap. Why do we cling to these childish dressings-up at moments of solemnity? That particular bit of mummery is a ghastly one.

". . . until you are dead, and may God have mercy on your soul."

There was a bustle in court. The condemned man was removed from the dock.

I had a profound revulsion of feeling. I wished with all my heart that Jafes had been acquitted. "Morry's headlight did it," was my thought.

"Give me your papers, Dick," said Morry in a slightly peremptory tone. "I want to catch the six o'clock to town."

I put the papers together hastily, and forgot all about my picturesque note. I did not remember it until I went to bed. Unable to find it, I concluded that I must have dropped it on the floor.

A few days later, I went abroad, and, except for brief periods, remained away five years.

CHAPTER IV

The Gears Pick Up

When I returned to England, I rang Morry up at his chambers in the Temple.

"My dear fellow—you in town? Splendid. Come and lunch with me to-day. I shall be in Admiralty Court 2. One to a quarter past. You will? Right."

Morry was one of a solid row of junior counsel. In the row in front were four or five K.C.'s. The one immediately before Morry was on his feet, talking learnedly about the loading of ships. I was wiser a quarter of an hour later, when the court rose, as to the proper way to stow cargo; but I had no idea what the case was about.

Morry gripped my arm. "How are you, old fellow? It is good to see you again. Have you been in court?"—We were hurrying through the gallery, diving this way and that to avoid people.—"I don't think Foljambe has taken the best point in our case. It is not the question of loading. It is the structure, and the crucial thing is the centre of gravity. I suggested that to him in consultation, but he didn't think so, and said he would leave it to me."

We came to a stop in the dismal cellar where unfortunates who are mixed up in lawsuits snatch what food they can get in the half-hour luncheon interval. I ate, and Morry talked about the case. I was struck by his intensity; he seemed to be entirely absorbed

in it. The clock was on the verge of two before he spoke of anything else. Then he inquired:

"How long are you staying in town?"

I told him that I was going to live in London. "I've decided that diplomacy isn't my forte. I shall try to write."

"Splendid. We must see a great deal of each other. What do you say to a walk on Sunday?"

I said "Yes." We were flying through the corridors again.

"Call for me, then—6, Pembridge Gardens. Ten o'clock. Will that suit you?"

I said it would. "Are you going to speak this afternoon?"

"Yes; as soon as Foljambe has finished. Coming in? Splendid."

I took a seat immediately behind him. Foljambe resumed, and, as before, Morry listened intently. After a time I noticed something. He had a blue pencil in his right hand, and the blunt end of it moved all the time, though only just perceptibly; it seemed to me that the movement was an unconscious nervous trick.

When Foljambe finished and went off to some other court, Morry rose, and I recognised how immensely he had come on since I had heard him before. He had been good then—quiet, earnest, and clear. But now he had developed a manner—a manner at once persuasive and forceful. He spoke in the easy way of one who knows that he will be listened to, and his lucidity was astonishing. In less than ten minutes I knew exactly what the case was about; it was about

a ship that had turned turtle on her maiden voyage. The builders sheltered themselves behind the finding at the Board of Trade inquiry, and said the cargo had been badly stowed; the owners, for whom Foljambe and Morry were appearing, the dock company, and the Stevedores Union, said that the cargo had been properly stowed. Foljambe had made this point. Morry was carrying the war into the enemy's country, attacking the builders on the ground that the ship had been wrongly designed. One would have thought, to hear him, that he had been brought up to shipbuilding. I was so much interested that I stayed all the afternoon.

On the Sunday morning I went to Notting Hill. The house was a good one, and I found the interior well-appointed and quiet, even a little sombre. As I entered, I caught a glimpse of Mr. Abramson peering over the banister on the first floor; I called out a greeting, but he disappeared without reply. He looked very old.

The maid showed me into the dining room. Morry was finishing his breakfast. Sara—I learned that she had dropped the "h"—sat at the end of the table and entertained me.

"Will you take something, Mr. Youatt? A cup of coffee—just a cup of coffee—do! Won't you, really?—No, Maurice, you are not to talk. Leave Mr. Youatt to me. Eat your breakfast.—You have no idea what a trouble it is to get him to eat anything, Mr. Youatt. This is the only day in the week when he takes a proper breakfast. On the other mornings he always has letters to read, or else he

is thinking about his cases and eats next to nothing. Besides, he has no time to eat his breakfast except on Sundays, although he gets up so early. Never later on weekdays than six. He is supposed to come to breakfast at eight, but he never does. It is generally a quarter-past, and he has to leave at half-past so as to be at the Temple at nine. Then, he goes to bed so dreadfully late. Hardly ever before one, and very often it is two or after before I hear him come upstairs. He is simply killing himself with work, Mr. Youatt; and it is no use talking to him. At least" —archly—" it is no use my talking to him. Perhaps now you have come to London he will go out sometimes in the evenings, and take a week-end off occasionally."

She gave me the news of the rest of the family. Mrs. Abramson, it appeared, rarely left her room. Mr. Abramson had become very deaf, and could not hear anything said by anyone except herself. Dan was prospering mightily, managing-director of a large business. Joe was not doing any good, and never would "as long as Maurice will lend him money whenever he comes whining." Jessie's boy and girl were growing up a credit to everybody, but her husband had not been fortunate in business, and had bad health. Judith had become a mistress in a training-college. Ben was in America, married and doing well. Matt had left Cambridge without a degree, and "talks about going out to join Ben, if Maurice will give him the money."

Morry went up to see his mother.

"But, of course," said Sara as the door closed,

"there is no one like Maurice. It will be such a good thing for him to see more of you. He has no close personal friend, Mr. Youatt, although he has a great number of friends; people think highly of him. But he is not intimate with anyone outside the family. When we refer to it, he speaks of you. So you will let us see you sometimes, won't you?"

I was embarrassed. I asked if I might go up to Mrs. Abramson.

"Oh, would you? Really? That *is* kind." Sara spoke as if I were guilty of extraordinary affability. "But you will have to wait a minute or two." She tripped off.

Mrs. Abramson was in bed, a mountain of a woman, so unwieldy as to be almost helpless. She had a smart cap and dressing-jacket on, and I surmised that Sara had kept me waiting in order to spruce her up. Her eyes were as bright as ever, and she still had her jolly laugh. Morry was sitting by her bedside, and she was fondling his hand. Her pride and joy in him were beautiful to see.

"Do you remember coming to our house at Mirfield when you were a little boy, and Morry was ten months old?" I said I remembered it perfectly.

"I did not think then that he would be a great man. Now, many people prophesy that he will. You may be proud to be his friend yet, Mr. Youatt."

I said I was quite prepared for that.

"Rubbish!" said Morry with his beam.

"Mr. Youatt will be proud of you, when the time comes," said his mother. "He never was like some."

We chatted for a while.

"Now be off, the pair of you. Have a good walk, renew the old days. You will come back to supper to-night, Mr. Youatt? Sara expects you."

We took a bus to Hampstead, and walked across the heath. Morry talked about the two cases that he had coming on that week.

"What happened about the ship?"

"We lost. However, we are appealing."

I tried to discuss the case with him. To my surprise, Morry was no longer interested in it. I realised, in an interval of silence, that he achieved his intense concentration on the cases in hand by wiping the slate clean.

"Cockles is back in England." I broke the pause.

"Oh?"

Then he had not known.

"Yes. Her old lady in Montpellier is dead. She is staying with Lady Vochlear for the present."

"Vochlear," said Morry thoughtfully. "The name seems familiar."

"You have probably seen Lady V's portrait in the illustrated papers. She is a social star of the first magnitude."

"I don't think I have heard the name in that connection, Dick."

"Perhaps you have come across her husband, Sir Adrian. He is a City baronet—Vochlear & Co., financiers, very old established and very wealthy."

"Ah, that may be it."

"Cockles and Lady V seem to have struck up a friendship. Lady V is taking her about a great deal."

"Oh?" Morry seemed no more interested in Nesta than in so many other things.

I persevered. "I thought we might dine together one night—we three."

Morry consented perfunctorily, and asked: "Didn't Sir Adrian Vochlear stand for Parliament? It comes back to me now."

"Yes, I believe he did."

"I should like to make that my next move, Dick. But I have been told for some time past that I ought to take Silk, and I don't see my way to both things together. Standing for Parliament is an expensive matter, and when I become a K.C. I shall probably suffer a loss of income for a year or two."

I was puzzled. King's Counsel are entitled to higher fees than juniors. "How can that be?"

"Well, people employ me now, and pay me higher fees than juniors usually get, because solicitors are kind enough to tell them that I am as good as most of the K.C.'s. I shall lose that part of my practice when I become a K. C. myself." (When a K.C. is employed, a junior must be employed with him; whereas a junior may be employed alone.) "What do you think as to the probability of a General Election?"

We discussed politics.

"I think I shall postpone taking Silk," was Morry's conclusion. "At the last two elections I did a good deal of work in Limesea for Harold Warriner. A month ago the chairman of the executive told me that Warriner will not stand again. He hinted at a possible invitation. The constitutency has advantages.

It is near London, so that I could get backwards and forwards without loss of time. But it is an expensive place to fight. It cannot be done for less than seven or eight hundred pounds."

"Can't you get something out of the party funds?"

"The Whip's Office have offered to help me to fight Hartindale, but that is almost absolutely safe for your people. I doubt whether they will do anything if I accept the nomination at Limesea: anyone on our side would have a good chance there, and I don't think the Whip will be pleased if the local association put me forward. He would like to have the choice of candidate."

"You think it wise to play for your own hand?"

"Oh, yes. I don't intend either to be in the Whip's pocket or to waste time and money in fighting forlorn hopes. You see, Dick——"

I realised, for the first time, that Morry held very definite political views. They were opposed to mine. It might almost have been said that we agreed only in desiring the best for our country; as to what it was, we differed profoundly.

After an interval of silence, Morry said: "Tell me something about your own plans. Where are you going to live, and what kind of literary work are you intending to do?"

I said that I was going to live in Clifford's Inn, and that I intended to write plays for the present; novels, perhaps, later.

"I have been considering a proposal to make to you. The conduct of a case frequently depends on the credibility of a particular witness, very often a

plaintiff or defendant. Would you, in such cases, come over and read the papers, be present at consultations, and give me the benefit of your advice?"

Nothing was farther from my intentions than to practise the law, and I was considering how to refuse when I became conscious of an overwhelming curiosity. I shared the popular view as to lawyers generally—that they say in court whatever they are paid to say. Morry's attitude in the Frey case had intrigued me. He had been at pains to investigate the possibility that a person other than the person he was briefed to prosecute might be guilty; what would he have done if instead of being disposed of it had been strengthened? What did he do when he was asked to uphold a cause he entirely disbelieved in?

"You might find it worth your while, Dick. You would pick up any number of ideas for plots."

I told him there were only thirty-two anyhow. "What I should like would be to go into court in the interesting cases, knowing enough about them beforehand to be able to follow your tactics."

"My dear fellow, if you could spare the time, that would be splendid. Your insight would be invaluable."

I wondered what made him say that. I stipulated that I must not be made responsible for handling any kind of business by myself, and, above all, never be asked to open my mouth in court.

. . . . . .

My early experiences in chambers were so interesting that for two years I spent most of my days

there. A corner was found for me, where, as well as I could, I played at being a lawyer. The other two men in Morry's chambers, Finegold and Attlee, kindly lent themselves to this imposture by setting me to look out precedents as occasion required, a task commonly relegated, with directions, to the youthful "devil." I was no longer a youth, but I devilled to the best of my ability; professionally, I was never anything but a joke. A lawyer's life is a dog's life, anyhow.

However, Morry seemed to like it, and to like having me there. He fell into the habit of talking his cases over with me, no doubt for the purpose of arranging his ideas. Occasionally, I was able to contribute a scrap of information, or—more rarely—a suggestion, when some non-legal aspect of a matter was uppermost. There was an astonishing variety in the matters with which Morry dealt; some of them hardly had a legal aspect at all, and it was the consultations in such cases which were the most interesting. All sorts of people were brought by their solicitors for advice, and very often it was a superlative common sense that was needed. Morry would devote a patience, and a degree of intelligence, to problems sometimes trifling in themselves, which impressed me almost as much as his disinterestedness. "It would be to my advantage and Mr. So-and-So's," he would say, "to encourage you to go on with this —run you in for a nice little lawsuit, you know. But there is no need for it. Go and see this fellow. Tell him"—and so on: quintessential common sense.

I also spent many days in court. Superficially,

there was a marked difference between Morry as junior to a K.C. and Morry in charge of a case. When acting as a junior, his outstanding characteristic was vigilance. He was unvaryingly smooth-mannered and deprecatory of speech with his leaders; yet, as he crouched catlike over his papers, something suggested that the idea in his mind was: "I know this fellow will go wrong if I don't look out." Whereas, when he was briefed without a leader, he seemed to take things easily. Suave, bland, on the best of terms with himself and everybody else—that was Morry, as a rule. "What a nice gentleman!" I overheard one day in a feminine whisper while Morry was opening for a plaintiff; the remark was typical. When he had nothing to do, he would lie back comfortably with his eyes shut, apparently dozing. The doze was only apparent, and the nice gentleman could be anything but nice given occasion. Imperturbable Morry always was; he thought processionally; no matter how acute the emergency, he would revise his plan of attack, or throw up new defences, in court, as calmly as though he had been in his armchair in King's Bench Walk and the trial a week off.

Cricket is said to be the most gloriously uncertain of games; I don't know about the glory, but for uncertainty a trial beats a cricket-match to nothing. It frequently happened that of my own knowledge I had hardly a notion how things were going; but after a while I discovered a source for prediction. When in court in the ship case I had noticed that the blunt end of Morry's blue pencil moved as he held it loosely in his hand while listening to his leader;

subsequent observations proved this to be a habit—he did it sometimes in chambers—and the character of the movement was an index to the undercurrent of his thoughts. Thus, when he was feeling confident in court, the movement was in three beats, the interval between the first and second being twice as long as the interval between the second and third: I came to call this "Things-Go-Well." When he was doubtful, the movement was still in three beats, but the intervals were equal and longer: I called this "I-Don't-Know." When things were going badly, the movement was clockwise in an oval, and slow: "What-Shall-I-Do?" If he hit on a good idea, the movement was reversed and quicker: "I-Wonder." Lastly, there was a single beat, very slow, which meant that it was all over; I called this "The Funeral March."

This discovery gave me a reputation as a prophet with Finegold and Attlee, and Duncan, prince of clerks. Even Morry would sometimes ask: "What do you think of our chance?"

"We are going to win," I might reply in a confident tone.

"I wish I were as sure of it as you seem to be."

He was sure, only he did not know that. The subconsciousness which moved the pencil did not trouble itself about details that worried the conscious and a little over-conscientious intelligence. Afterwards, it would be: "You were right, Dick. How did you know?"

But I never told him.

I did not solve my problem. As far as I could make out, Morry only considered whether the in-

trinsic merits of a case justified him in upholding it when there was a question of sharp practice or dishonesty. He hated pettifoggery. "No, no," he would say instantly if client or solicitor suggested a doubtful manœuvre; "we must fight on a straight issue." A shyster solicitor with a swindler for a client, who wanted Morry to deceive a judge, received a talking-to which he must remember still. But short of that, Morry seemed to take things as they came. Nevertheless, I came to the conclusion eventually that his conduct was governed by the desire that justice should be done. He knew instinctively what would be fair, and that was what he aimed at, although usually he asked for more—like the man who only wanted a cottage and a good-tempered wife, but prayed for a palace full of angels. Morry was not, however, aware of his limiting instinct; he thought he tried to get all he could for his clients. Yet, with him, honesty was inherent. What principle guided him?

I knew there must be one, but I never succeeded in formulating it. The solution was given me many years later.

CHAPTER V

The Orange Spark

One day when I had not been to chambers, Morry rang me up at half-past six.

"Have you an engagement this evening, Dick?"

I said I hadn't.

"Will you eat food with me at home? I promised Sara I would be home, and I do not wish to disappoint her. But I want to talk to you."

"All right. Are you ready now?"

"I shall be in a few minutes."

"I'll come round for you." I knew that dinner would be at half-past seven, and thought that if I went to collect Morry there might be a chance of getting him there at the proper time. Otherwise, it would very likely be after eight when he arrived.

I waited an hour for my pains. It was five minutes to eight when he called me into his room.

"Ah, my dear fellow. Sorry to keep you waiting. I am afraid we shall be a little late." This with the most beautiful unconsciousness.

"You'll find out when you get home," I said, not without relish. I was hungry, and looked to Sara to avenge me.

Her tirade, however, was a mild one, my presence being, according to her, an ample compensation for Morry's delinquency—Sara always affected to regard me as a kind of royalty—and Morry took no notice

of what she said. As far as my knowledge goes, he rarely did take notice of Sara's scoldings; he was a hopeless man from a housekeeper's point of view.

Matt had gone to America, Mrs. Abramson did not appear that night, and Mr. Abramson sat silent and incurious, absorbed in his own thoughts. Sara chattered in her sprightly fashion, and Morry tried to make polite conversation about indifferent matters. As soon as dinner was over, he said:

"I am going to take Dick into my den. We have a matter to talk over."

"Really!" exclaimed the indignant Sara, "I hardly ever see anybody, and I do think, when you bring a guest—especially a guest like Mr. Youatt!—you might behave properly. Mr. Youatt, it is too bad of him, isn't it? Don't go."

I pleaded that it was business.

"Business! Always business. Stay with me in the drawing-room, and let Maurice shut himself up if he likes."

I might have yielded temporarily, but she promised to sing to me, and that did it. Five minutes later, Morry and I found ourselves in his den. I lit my pipe. He began:

"Have you met Madame Isola Bella?"

"Yes."

"Tell me all you know about her."

I said she was an American who had a name over there for a new kind of dancing. She had arrived in London some months ago, and had caught on here. She was appearing at a leading variety theatre, and had many private engagements.

"What kind of dancing is it?"—Morry never went anywhere.

"Pseudo-classic—a series of swaying, rhythmic movements rather than dancing in the usual meaning of the word. She uses her arms a great deal."

"To what in particular do you attribute her success?"

I hesitated. "Well, it's a novelty. There isn't much in it, really. But you know how people run after anything new, if it happens to catch on."

"What else had you in your mind?"

"She's good-looking—a moonlight beauty—and wears dark filmy robes which reveal her figure. That's a sensation."

"Have you talked to her?"

"Yes, a little, at different times."

"What impression did she make on you?"

I found it hard to say. Isola Bella spoke in a flat voice, her manner was almost apathetic, her face was usually immobile except for a mechanical smile. There was an expression in her eyes which baffled me.

"Her personality is veiled. The only thing I can tell you with certainty is that sometimes she is frightened."

"Frightened? What of?"

"I don't know. When people come into a room where she is—late guests, say—she turns her head towards them apprehensively."

"What an observer you are! An invaluable fellow. Now tell me. Do you know a man named Garavan?"

"I have met him."

"You have met almost everyone. Do you know him?"

"No."

"And don't want to?"

"If you like."

"Your tone suggested it. Why don't you want to know him, Dick?"

"He isn't my sort."

"What sort is he?"

"I don't know much about him, except that he is enormously rich, and gives week-end parties at his place near Henley, where, as some people say, the guests don't always behave in accordance with the customs of polite society."

"Ah. Is that true, do you think?"

"I don't know. I heard a discussion on the question the other day. Lady Pengettrick said it was so. She used the word 'orgies.' Harriet Milne said it was not true. She had been to Henley for a week-end, and although people behaved with rather more freedom than in some houses, there was nothing to justify the scandalous stories which were being circulated."

"I see." Morry was thoughtful. "Have you heard anything against Madame Isola Bella's character?"

"Not a syllable."

"No hint that she was Garavan's mistress?"

"No. I don't believe she is."

"Why, particularly?"—Morry rated me something of a cynic.

"Because he would take care to let people know it."

"Ah." Morry became thoughtful again.

"He is an American too, by the way," I added.

"They are neither of them Americans, unfortunately. Madame Isola Bella was born in England of English parents; she was seven when she was taken to America, and has not been naturalised. Garavan, on the other hand, although born in America—as I understand, of immigrant parents—has recently taken out naturalisation papers here."

"Oh, yes; I heard he was intending to do that. I had forgotten it."

"So that they are both English, for legal purposes."

It was a rule of mine not to ask Morry questions at such times. I adhered to it on this occasion. Some minutes elapsed before he spoke again.

"She was formerly Garavan's mistress, Dick."

"In America?"

"Yes. And she had a child by him, when she was nineteen. He cast her off as soon as he knew she was going to have a child, and left her to face the world with a thousand dollars."

"The brute."

"Yes."

Another pause.

"She has lived virtuously since, so she says. She came back to England, and her child was born here. But she found difficulty in getting engagements, because she was not known to theatrical managers. So she returned to America. There she had a hard struggle, but managed to win through. Some people befriended her—the wife of the president of one of the universities chiefly. Through these people she

obtained engagements to dance in classical plays, and so made her name. There was a scandal afterwards. The professor left his wife, and followed Madame Isola Bella to New York. She would have nothing to do with him, and it was to put herself out of his reach that she came again to England."

I reflected that this was a thin story.

"The child appears to be everything to her. She had no idea, when she came to England, that Garavan was here. She did not know of it until after her boom began. Then he called at the theatre. He wished her to resume their former relations."

"Nice man."

"She refused, of course. He pestered her. He found out where she lived, came there, and made a scene."

"On what ground?"

"That she had kept his child from him. He pretends that she never told him she was going to have a child, that the thousand dollars was merely a gratuity on the cessation of their relationship. He claims that if she had hinted there was going to be a child, he would have provided for her and the child adequately. She says that is false—that he knew."

"She would tell him, naturally."

"Yes. There was a friend of theirs who could prove that she did, if he could be found. Garavan now claims a share in the child, and the right to interest himself in her welfare."

"Child a girl?"

"Yes—six years old."

"Can he enforce his claim?"

"He has found a means to do so, at any rate in a measure—an unusual means, but a legal one. He has settled a sum of money on the child, and applied to have her made a ward of Chancery."

"Will the court grant the application?"

"Probably it will, unless some good reason can be shown why it should not. In the ordinary way, the fact that a father settles money on an illegitimate child is held to be sufficient proof that he is interested in the child and its welfare, and entitled to a reasonable share in its life: to have it stay with him occasionally, for example. That is what Garavan wants."

"And Isola Bella doesn't like that?"

"She abhors the idea. She says he is a thoroughly bad man, that she wished to break with him long before the break came, but dared not because he terrorised her. Afterwards, friends told her terrible stories of his vices, and she believes them. She claims that the child ought to be protected from him, rather than have him forced upon her."

"There is something to be said for that."

"Yes, from the moral point of view, but not from the legal point of view."

"Why not? If he is an out-and-out rotter——"

"Prove it," said Morry simply.

I reflected. As far as the "orgies" in England were concerned, it was unlikely that definite evidence could be obtained, even supposing anything of the kind really took place. Remained Isola Bella's evidence. The worst of what she believed she only had on hearsay; as to the rest—his conduct when she was with him, and the circumstances of the rupture

between them—it was his word against hers. And against her was the scandal in connection with the professor, which might be raked up; if it were, Garavan's word would appear better than hers. Except that——

"Didn't you say there was a witness to the fact that he knew she was going to have a child when he cast her off?"

"The man left the States soon after, and, as far as Madame Isola Bella knows, remained abroad. She has no idea where he is now, or how to trace him."

That was a blank wall, then. It did not occur to me to ask his name.

"I don't see how you can say anything against Garavan's character. Isola Bella wants you to appear for her, I suppose?"

"Yes. I think first I will go and see the child, talk to her, and form my own impressions. It would be better to go to the house, don't you think, than to have the little girl down to chambers?"

"Much better. Play trains with her in the garden, Morry, if there is one."

"Ah. I should miss my old companion, Dick."

I noticed that he did not say "companions." I had put in the allusion to trains with a double purpose. It was probable that to engage in some such play with the child would be the best way to make her show her real self; also, I wanted to remind Morry of Nesta. His tone, and his "Madame Isola Bella" alarmed me. The "Madame" was a bad sign. Why not "Isola Bella" simply? It was an assumed name, as everybody knew. Morry was a womanless

man. And when a womanless man speaks ultra-respectfully of a stage lady, whom he has met once, by her stage name, well——

Morry puzzled me in regard to Nesta. Since my return to England I had been at some pains to bring them together. They were friendly enough when they met, and on the first occasion Nesta had told Morry that he would be welcome in Berkeley Square. She was quite at home with the Vochlears, had her own sitting-room, and could invite her friends. But, as far as I knew, Morry had never availed himself of her invitation. A doubt had come into my mind as to whether I had been right, six years before, when he told me about his family responsibilities, in supposing that he would have proposed marriage to Nesta if he had been in a position to do so, and intended me to pass the confidence on. I had done so, in a discreet manner, leaving Nesta to read between the lines. Since, various little straws had shown me that the wind still blew from Nesta to Morry, but there had been no sign that it blew the other way about.

I saw her frequently. Lady Vochlear had told me to consider myself free of the house, and I availed myself of the privilege. Lady V, as she was always called socially, interested me on her own account. She was French, and very much the *grande dame*, especially when outsiders were present and the conversation was in English; but once or twice I had been admitted with Nesta *dans son intimité*, and to Nesta she always spoke French; then, unexpected flashes of wit and insight enlivened her languid fine-

ladyishness; there was occasionally even a suggestion of the *gamine*. She was evidently still in love with her husband, which, considering that they had been married for years and were almost indecently wealthy, seemed remarkable. I never achieved any degree of personal intimacy with either of them; there was nothing "sympathetic," as the French say, between us; but I liked them for their manner to each other and to Nesta. They treated her absolutely as a friend. Lady V took her everywhere, and Nesta was having a very good time indeed, which had caused me to reflect that she might meet Mr. Somebody-Else any day. She had developed a nonchalant manner, and as to Morry, she never talked of him of her own accord, or asked any questions about him.

"I saw the little girl, Dick."

"Oh?"

"Yes. Rather like her mother in the face; disposition, too, I should say."

"In what way, as to the latter?"

"Er—a curious combination of self-sufficiency and the desire to find guidance."

I did not like this at all.

"She has had a very difficult life-problem to solve, Dick—the mother. She must have had extraordinary courage and tenacity to overcome her difficulties in the past; she shows the same qualities in relation to the present difficulty."

"Can you help her?"

" I have helped her already, in a way. Her idea, when she came to me, was to throw up her engagements and slip off with the child to America. She

says that there Garavan could not interfere with her. I advised against that."

"Why?"

"Because the child would lose the benefit of the settlement, and that is not right. It is, in itself, a good thing for the little girl."

I wondered.

"Besides, I do not despair, although I do not see my way clearly yet, of inducing the court not to make the usual order that the child is to stay with the father periodically."

Morry rose, and walked about, a thing he rarely did when he was talking.

"It is an abuse of the process of the court, Dick. I shall not permit it to succeed if I can prevent it. I do not believe that Garavan really cares about the child at all. I believe that his real object is to regain his discarded mistress—because she has become famous. He has hit on the plan of using the child as a lever. That ought not to be."

He faced me suddenly; I found myself gazing into his eyes; deep in each fur-black iris glowed a tiny orange spark.

I had never seen this phenomenon before. It almost frightened me. There was something terrific chained inside Morry—something primeval.

Arriving next morning at chambers at half-past nine, I found Isola Bella, with her child, a maid, and a solicitor named Anson, waiting in the room I used. After greetings, I asked the little girl her name.

She answered me boldly: "Lynette. And what's yours?"

I sat down, took a sheet of blue foolscap, and folded it in a certain way. Then I picked up the bust of Blackstone which ornamented the mantelpiece, put it on the corner of the table nearest Lynette, and said:

"What do you think of that old gentleman?"

She looked at the bust, then raised her eyes to mine mockingly.

"He looks very serious, doesn't he? Now then" —I popped the paper cap on his head.

Lynette instantly became solemn. After a pause, she recited lugubriously:

"Mr. Smarty
Gave a party.
Nobody came."

Isola Bella smiled her mechanical smile.

Do you know the kind of eyes that hold the dusk? Isola Bella and her daughter had eyes of that kind. Not only the iris, but the white of the pupils, the soft black eyelashes and eyebrows, had an effect of dusky greyness. I have heard such eyes described as "having been put in with smutty fingers"; the description is a bad one because it conveys the idea of an unnatural darkening of the eyelids and eye-sockets due to ill-health or make-up. There was nothing of that sort about the eyes then raised impishly to mine, or in the mother's; the suggestion was rather of twilight in some faery land, lurkings of the unknown in shadows, a vague threat.

Isola Bella and Anson were presently summoned into Morry's room. I was making a dragon out of

black and red sealing wax, and Lynette was watching —she was interested in this—when they returned, Morry with them. He said:

"Will you come with us, Dick?"

We went across to the Law Courts. Garavan, his solicitor, and a barrister named Colquhoun were already there. Garavan was a buck of a fellow with a superficial geniality of manner. He greeted me, and it struck me then that he was one of those men who are agreeable enough until they are crossed, but to whose malevolence there is no limit when anyone opposes their desires.

The judge was the best type of man who could be chosen for such a purpose: kindly, wise, experienced in the kinks and twists of human nature. He exchanged a few words with Isola Bella and Garavan, who were presented by their respective counsel, and talked for five minutes to Lynette. She responded perkily.

"I think it will be best for the child to be in another room," said the judge when he had satisfied himself as to what manner of scrap of humanity Lynette was. "Is there anyone to take charge of her?"

"I brought her nurse," replied Isola. The nurse rose.

"Very sensible of you."

The nurse took the child out, and as the door closed the judge remarked:

"A bright little girl."

"Thank you, my lord," replied Isola humbly. "I have done my best."

"Now as to this application. You wish the child to be under the guardianship of the court?"

He addressed Garavan. There are no indispensable formalities on these occasions. The judge conducts the proceedings as he thinks fit.

Garavan related his story. He had been very much attached to Isola Bella. They had separated amicably. He had never had the smallest reason to suppose that she had a child by him.

"When did you learn of it?"

"Three months ago. I was told by someone who knew her in England that she had a daughter six years old. I suspected that the child was mine; I went to the house, and the truth was admitted."

Isola shook her head. In response to the judge's look, she told her story.

Garavan contradicted her as to the amount of money she had received.

"It was five thousand dollars I gave you, not one thousand."

"One thousand," persisted Isola.

The judge said: "This happened seven years ago. It is regrettable—no doubt you both regret it now. There are things in the lives of all of us which we regret. We cannot undo them; but we can mitigate the ill-consequences of them. What I have to decide, and you must help me to decide right, is the best course to take in the interest of the child. It is your duty, as the parents, to assist me. You, madame—do you intend her to follow your profession?"

"Not necessarily. She has learned to dance, of course."

"Naturally. You make a considerable income by your work?"

"Yes, now."

"Have you provided for her education?"

"She has a very good governess. When she is a little older, I intend to send her to the best school I can find."

"In England?"

Isola hesitated. "I have not yet decided. It depends on where I am at the time."

"You must take a broad view, I think. Your profession has its disadvantages, and one of them is, as I infer, that you cannot always live in the same place. If it can be avoided your daughter should not be dragged about with you during those years in which her character will be largely formed for life." He turned to Garavan. "You wish the child to remain in England?"

"Yes. I wish to see her sometimes."

The judge reflected. "I am disposed to make the order placing the child under the wing of the court. It can do no harm, I think."—To Isola: "You will have to notify the court if you change your residence. Also, before you send the little girl to school, an application should be made, so that the choice of school may be approved. In the meantime, write me a line, and give me the name of the governess, and her references.—Now as to the question of the child going to stay with the father." He addressed Garavan: "You are a bachelor. Who looks after your household?"

Garavan said he had a housekeeper, a most respec-

table woman who had been in the service of several good families.

"I hope your lordship will not say Lynette must go to Henley," exclaimed Isola in an agitated tone. "I have tried to keep her from fast people. I have done my best not to let her come in contact with anything of that sort."

The judge raised his eyebrows. "Do you mean to imply that Mr. Garavan leads a fast life?"

"Yes, I do," replied Isola courageously. "He is a bad, wicked man. I don't want Lynette to have anything to do with him, any more than I will have anything to do with him myself. I have told him so over and over again. I did not want his five thousand pounds for Lynette—now."

She spoke very bitterly, and it was impossible to doubt her sincerity.

"I can understand," said the judge gently, "that you nourish a certain resentment against Mr. Garavan on account of his conduct in the past. I express no opinion as to which of you is correct as to certain details connected with your former relation on which your recollections are not in accord; there may be a lapse of memory on either side. But when you say that Mr. Garavan is a bad man, and that he now leads a fast life, do you know that to be true?"

"I am sure it is true."

"Have you any evidence of it?"

Isola hesitated. I suppose that Morry had warned her, and if so she had already transgressed on to the forbidden ground. She could not resist going further; but she did it very cleverly.

"Everyone says so, my lord. When he knows I am going to appear at a reception, he contrives to get himself invited. Then he persists in talking to me, and because I am there partly as a guest, I cannot be openly rude and make a scene. People have warned me afterwards to be careful not to have anything to do with him, and, above all, not to go to his house. He gives large parties there, especially on Sundays, and friends of mine have supposed, when they saw him talking to me, that he might be asking me to go there and dance. They told me I should regret it if I did."

The judge weighed this—and her.

"I can tell you the names of some of those people, if you wish."

"I do not think that is necessary. What do you say to this, Mr. Garavan?"

Garavan protested that he had never followed her deliberately. When he happened to be somewhere and she appeared, he had shown ordinary friendliness. As to the rest, he supposed there must be silly gossip going on. There was nothing in it. He only entertained his friends as other people did. He gave the names of some of his guests; and added: "Your lordship will see that such people would not come to my house if there were any justification for what madame has been led to believe."

"That would seem to be so," replied the judge thoughtfully. He addressed Garavan's counsel: "I do not specially wish to hear you, Mr. Colquhoun, but if you have anything to say——"

Colquhoun, in a temperate manner, said that men

in his client's position were almost inevitably the targets of scandal. Probably, if Mr. Garavan invited the same lady to his house twice within six months, some people would make a story out of it.

The judge turned to Morry. "Mr. Abramson?"

"If I may ask my learned friend's client one or two questions.

"Certainly."

"You have a good many friends, Mr. Garavan?"

"Yes, I suppose I may say I have."

"You entertain them chiefly at Henley?"

"Yes, chiefly."

"Does this happen more or less all the year round?"

"More or less. I am sometimes away."

"But when you are at home, you usually have people staying with you?"

"Yes, generally."

"If the child came to stay with you, would you shut her up, keep her away from your friends?"

"Oh, no."

"You would wish her to mix among them?"

"Sure."

"If one of your guests asks you 'Whose child is this?' what are you going to say?"

The question slipped out in the same easy, conversational tone as the others. I don't believe any of us saw, for a second or so, that it hit the weak spot.

Garavan did not answer. His mouth opened, but no words came. He flushed, and his eyes became fishy.

"'Oh, a by-blow of mine by Isola Bella,'" suggested Morry. "That was what you had in your mind to say, was it not?"

I was aghast at his audacity, and expected an instant reproof from the judge. None came. The judge was watching Garavan keenly. The fellow's face and neck were a dull red. He stared at Morry savagely, tried to say something coherent by way of denial. But he could not successfully deny that he had meant to boast of his parentage.

"I submit that your lordship should not make any order in the second respect," said Morry.

"I agree with you, Mr. Abramson," replied the judge drily.

We were a triumphant party as we walked out of the Law Courts, although verbal expression of our triumph was forbidden to us because Lynette and the maid were there. Isola said something to Morry in a low voice, and looked up at him as she did so; I did not catch the words, but I did not like the look. Her glance made me think uncomfortably of some strange kind of tendrils bearing delicate poisonous blossoms.

We separated. Morry said:

"Dick, I want to invite Madame Isola Bella to dinner on Sunday. Are you free?"

"You want me too?"

"Oh, yes, old fellow. You suggested the question that bowled that beauty out."

"I?"

"Certainly. You said that you did not believe Madame Isola Bella was his mistress, because if she

had been he would have bragged about it. That gave me the idea."

"I'll come, if you want me."

"Splendid. What about a fourth? We want another lady."

The devil prompted me to say: "Cockles?"

Morry did not jump at the suggestion. There was a perceptible interval before he remarked:

"Ah, yes. Would she come, do you think?"

"I don't see why not."

"Will you ask her?"

"Ask her yourself," came to the end of my tongue, but I did not say it. I was afraid it might involve Morry in an explanation which he did not wish to make.

Nesta's nonchalance was more marked than usual when I gave her the invitation. I explained that Isola was a client for whom Morry had done something exceptionally clever, and this was a celebration of his success.

"Where is it to be, Dick?"

"At Romano's."

"What time?"

"Eight."

The dinner-party was not a success, although each of us did his or her best to make it so. Morry was genial, and lively for him; he told anecdotes, and told them well. Isola was unusually smiling and looked very attractive in her diaphanous dark gauzes and outlandish ornaments; she was the first woman in London to wear "artistic" bead necklaces. Nesta looked as sweet and fresh and pretty as she had done

at nineteen; she was unfailingly gracious and charming, and chatted familiarly to Isola about people and things of the hour. They had met before, I learnt; Isola had danced at the Vochlears'. But, somehow, Nesta made Isola seem common. Perhaps she couldn't help it; she was a gentlewoman by birth and upbringing, and Isola wasn't; but it did strike me, thinking it over afterwards, that Nesta had been just a shade too perfectly sweet to Isola, and that Isola knew why, and that accounted for the way in which she annexed Morry when the party was over.

"You are going to take me home, aren't you?"

They were standing together in the vestibule, and Isola was looking into Morry's face. Suddenly I knew why that woman was so dangerous. The warning that lurked in her dusk-filled eyes was the oriflamme of a sex-antagonism that has nothing to do with disabilities; she was of the type fundamentally hostile to the male, that is impelled to torture husband or lover as soon as, and for as long as, he is safely snared.

"There is something I wish to consult you about," added Isola insistently, when Morry hesitated. "I have a very good offer from America."

She had her way: Morry left Nesta to me.

"Let's walk," said Nesta. She slipped her arm through mine, and was talkative going down the Strand, chaffing about my prediction for weird females. She affected to believe that I was *épris* of Isola, because I had been flirting with Isola mildly of intention. But before we reached Charing Cross she had fallen silent, and did not speak again until

we were close to Berkeley Square. Then she insisted that I should come in for a few minutes. We went up to her sitting-room, and she electrified me by saying:

"Dick, do you remember proposing to me just before we left Mirfield?"

I winced inwardly, and remarked that I had not proposed to so many girls as to be unable to recall every occasion.

"Did you mean it?"

"Yes."

"You were not really in love with me."

"I thought I was."

"Have you changed your mind?"

I stared at her. "What are you getting at?"

"Be frank, Dick. You were willing to marry me then. Are you now?"

"Don't be silly. You don't want to marry me."

"I will, if you like," said Nesta. But she turned her face away.

I went to her, took her by the shoulders, and gave her a mild shaking. She faced me.

"Why shouldn't we? Is there anybody else?"

That was a difficult question to answer. My hesitation answered it for Nesta.

"Can't you marry her?"

I said I could never marry her.

Nesta regarded me. "Is she your mistress?"

"No." I was thankful I could say it truthfully.

"Then yours is a hopeless case too."

The "too" was heart-rending. I found no words.

"Why shouldn't we?" repeated Nesta presently. "I

like you very much, and I know you like me. Aunt Betsey will give me two thousand if I marry you, and let us have the Dower House at Markhamsted to live in. She told me so."

She had told me so. It had become a fixed idea with Aunt Betsey that Nesta and I should make a match.

I said that people ought not to marry unless they really loved each other. Nesta talked about companionship. I retorted that we weren't sixty. Then she broke down.

"I've waited and waited and he doesn't care. He did care at one time, but I knew he couldn't afford to marry me then, he had as good as told me so, and you wrote to me about his having to carry his family on his back. Since then, it's died out. I thought before I came home that it was being swallowed up by his ambition, and I thought that a bad thing for him, so, since I've been back, and you've been back and given me chances, I've made up to him as much as a decent woman can. I hoped he would wake up. He has waked up at last, but he wants that hateful *entichée*" (tainted woman).

I was hot and embarrassed. I tried to comfort her.

"You are exaggerating. Morry seems to be interested in her, I admit, but it is probably only a sympathetic interest."

"Stuff!" said Nesta. "I came to-night to make sure."

"He has an immense fund of common sense," I argued.

"Then why run after her? She won't make him

happy. Why do men run after such women, Dick?"

I could not tell her that. But she knew.

"I would make myself like her, if I could. Do you think she cares for him?"

"I think she is genuinely attracted."

"Yes. I thought so too. She might have married well twice during this last six months. That vacuous little St. Marsten was raving about her: he has any amount of money. So has the other man—Lampleigh, a stockbroker. Neither cared a straw about her having a child. But she wouldn't look at either of them. That kind of woman must have a real man to twine round and strangle—parasite!"

I did my best to persuade Nesta to believe that life always holds the possibility of happiness, that it would be rash to spoil her chance of it because she could not marry the man she wanted. She remained unconvinced.

"I shall marry the first man who asks me," was her final declaration. I went away with a heavy heart.

CHAPTER VI

Guilty or Not Guilty?

The following months were a time of tribulation for me as far as my two chief friends in London were concerned. In other ways they promised well. One of my plays was tried for a week at a seaside resort, preparatory to production in London. I became interested in a repertory theatre in the North, which produced another. Consequently I was very busy, and ceased to go to chambers except casually. When I did go, Morry sometimes fished.

"Do you know Lady Harrington, Dick?"

"I do."

"She is holding a reception next Thursday. Perhaps you have a card for it."

"I have."—Isola Bella was going to dance.

"Could you get me one?"

Nesta became engaged to O'Donovan Mack.

He was of my year at Christ Church, and for a time I had fallen under the spell of his brilliancy. During our first Christmas vacation he went to stay with relatives near Mirfield, and I invited him over. My father was delighted by his desultory, flashing talk; my sisters and Nesta succumbed to his special fascination for women. He had a way of looking at them out of his frosty blue eyes as if they were marionettes. I ceased to cultivate him soon after, because I disliked some of the amusements in which he indulged. One of them was to invite a boofer lady to supper,

induce her to undress, and then sketch her. The sketches ornamented his rooms. They were exceeding clever, as were his caricatures of Oxford notabilities. Later, he went in for painting, and became the idol of a coterie in Chelsea. While I was abroad he attained celebrity for portraits startling in their revelation of the worst sides of the sitter's character. Chelsea proclaimed him a master, and every night he used to trail through the streets with a crowd of girls to a West End café, where he would sit and hold forth, while his admirers told each other how wonderful he was. I witnessed the symposium one evening, and the man I was with told me that the secret of O'Donovan Mack's ascendancy over all these women was that he never had an affair with any of them. By the time I returned to England permanently he had ceased to spend his evenings in cafés, and went to the houses of the great instead. I met him several times at the Vochlears'. He was as witty as ever, but more bitter; he seemed to have acquired a contempt for everybody and everything.

Nesta sparred with him, and it never occurred to me that they might marry until I saw in her sitting-room a sketch he had made of her. It was the most sincere piece of work I had ever seen of his. He had caught her friendly trick when she flung her little head sideways and upwards with a gay smile; and he had painted what he saw, without the subtly malignant distortions in which he usually indulged.

After that I was not surprised when she told me they were engaged. She was quite unreadable about it; her manner was more nonchalant than ever.

This was in May. They were married in June, and went to Italy. In July there was the devil to pay at Notting Hill. Sara urgently requested me to go and see her. I went.

"Will you use your influence with Maurice? You are the only person who has any influence over him. He does not listen to me, father is afraid of him, and I simply dare not tell mother what he is contemplating. It would kill her. You know, of course?"

I professed ignorance.

"I should have thought you must have known. He is paying court to a dancer, a woman who shows herself half-naked every night to hundreds of people, and who has an illegitimate child. She calls herself Madame Isola Bella. He actually spoke of inviting her here. I told him if she ever came into the house I should walk out of it."

"Was that wise?"

"Surely you are not encouraging him!"—Sara fixed me with an angry glare.

I said I wasn't. I also said that in my view it was a man's own particular and private business whom he chose to marry.

"I am surprised to hear you talk in that way. It would ruin his career. No one would know him. And he is beginning to have highly-placed friends. Lady Harrington invited him to one of her parties, and last week the Countess of Shropshire."

My cards. The artful Morry had been flourishing them under Sara's nose in order to account for evening-dress absences. I tried to persuade her that the best thing that can happen to a man is that he

should win the woman he wants. I did not believe this, but it seemed the thing to say in order to choke her off. I also told her that it would not do Morry a scrap of harm, socially or professionally, to marry Isola Bella. I did not say that the problem would be a psychological one between their two selves. Sara never quite forgave me.

It was much worse when Mrs. Abramson was told, for, of course, Sara told her. She, too, asked to see me. Her deep affection for Morry made it a tragedy: all her pride in him was gone. "A heathen woman," she called Isola Bella. The epithet seemed to me extraordinarily apt.

"I often thought he would marry a Christian," she moaned, the tears welling out of eyes in which the jollity was quenched. "I could have put up with that. So many of our people do it now. But a heathen woman!"

"Has he said that he intends to marry her?"

"No. But he has spoken of her, and he goes to see her every Sunday. Sara has no doubt about it. I could wish not to live to see it."

During this period Morry only mentioned Isola's name to me once, a week or so after the dinner at Romano's. He remarked that he had induced Madame Isola Bella not to treat for the offered American tour.

August came. Morry went with his mother and Sara to the seaside. An annual holiday by the sea had been the event of the year for Mrs. Abramson prior to the bankruptcy, and it was a source of even greater pleasure to her when Morry restored it, pro-

vided she had his company. It was to his love for her that I attributed the dilatoriness of his courtship: I thought he wished to spare her as long as possible.

I was detained in London, and one morning I received a letter from Isola. It contained six large sheets, and the gist of it was that another and even better offer had been made her from America. She wished to know whether it would not be possible for me to arrange matters so that she could accept and take Lynette.

I rang her up, and told her that the question was quite beyond me. All I could say was that Abramson had expressed the opinion that the court would not grant permission for Lynette to be removed from the jurisdiction except for a limited period and under proper guarantees.

"Yes, but that was when the order had only just been made. Don't you think they would now?"

I told her I had no means of forming any opinion, and I doubted if anyone could answer her question favourably. Morry would be back in a fortnight.

"But I must answer at once, by cable. I can't keep these people waiting."

I said that in any case there was no Chancery judge sitting, and would not be, as far as my knowledge went, until the term began in October.

"My engagement here ends on September ninth, so what am I to do? The people who want me represent the largest theatrical syndicate in the United States of America." Isola's tone suggested she would have liked very much to be in the United States of

America at that moment, and I sympathised with her desire.

"You might accept the engagement, apply as soon as possible for permission to take Lynette, and if permission is refused, make arrangements to leave her here."

"Oh, no, I can't do that." She hung up. Somehow I knew that she was going to accept the engagement.

I wrote to Morry, and he told me when he came back that he had written to her advising that in his opinion the court would probably give her permission to take Lynette out of England for six months, but not longer.

Matters remained in this position, as far as my knowledge goes, until September twelfth, when I learned from a newspaper paragraph that Isola had sailed for New York on the previous day. I had to go to chambers that morning, and on going into Morry's room found him reading a long letter. He put it down with a sigh.

"Isola Bella has gone to America, Dick, and taken Lynette."

Technically, Isola was liable to imprisonment for contempt of court; but as long as she remained out of the jurisdiction, nothing could happen to her. Privately, I thought what she had done was for the best, certainly for herself, probably for Lynette as well. What's wrong with the United States of America, anyhow?

"She will have to purge herself of contempt when she comes back to England," said Morry with another

sigh. "Then Garavan may make difficulties for her."

It occurred to me that she might not come back, but I did not like to say so: I thought that would be the best thing for everybody.

Three months later there was a cablegram, expanded to half a column in the noisy papers, recounting the kidnapping of Isola Bella's ten-year-old daughter while the mother was at the theatre. The child had been rushed to the landing-stage and put on board an outward-bound British liner in the nick of time. Cabins had been booked beforehand—one for a man whose name was not given, another for the child and a woman, presumably an attendant.

The kidnapper, of course, was Garavan. American-like, he had taken a liberty with the laws of his former country in order to get on the blind side of the law in his adopted one. He succeeded. On arriving he brought Lynette straight to London, and his solicitor presented her, together with the impeccable female travelling companion he had provided, to the court. He asked for an order placing Lynette in his custody pending further developments. It was granted in the absence of opposition; Morry, being without instructions, could not appear.

Isola threw up her engagement and came post-haste to England. Morry advised her to apply to the court to be purged of her contempt, consent to Lynette remaining in England in charge of some suitable person, and submit to Garavan being allowed to see the child occasionally. She agreed to this, and on the morning when the application was to be made Morry and Anson and I waited for her.

She came at the last moment. Her face was drawn and fixed, her eyes sombre. She looked unkempt, and I noticed that there was mud on her shoes. She came in without a word, and stopped just inside the doorway.

"Come, come!" said Morry. "It isn't as bad as that. The worst that will happen to you will be a lecture from the judge. But we must not keep him waiting. That would make a bad impression. The other people are sure to be punctual."

"He won't be there," said Isola in her lifeless voice. "I shot him last night."

Morry took a step towards her. "You shot Garavan? Is he dead?"

"I think so. They are crying a special edition in the street: 'Murder at Henley.' I didn't buy one."

"Send for one, Dick. Quick as you can."

I went to the door instantly. As I was going out I heard Morry say to Anson: "I shall have to go across. Proper respect must be shown to the court."

I went for the paper myself, and never felt sicker than when I read a little paragraph in the stop-press which told me that a sensualist whom I had disliked was gone to face the great Judge. Returning, I met Morry, and conveyed the information by a nod.

"Tell Anson. And—she must not be left alone even for an instant. Stay with her as well as Anson. Watch her." His face was ashy-grey.

Nothing happened while he was out. Isola asked no questions. Her graceful figure, drooping in a chair, was the incarnation of fatigue. I sent the junior clerk out to get a pot of tea and bread and butter.

She drank the tea, and said: "Thank you." Those were the only words she uttered.

I left the room again as soon as Morry entered it. Half an hour afterwards he sent for a cab, and when it arrived he and Anson took Isola away. He came into my room for a second.

"There is nothing you can do, Dick. Don't wait, unless you have other matters to attend to."

My poor Morry! His face was awful. I thought it best to remain where I was.

He came in again two hours later.

"She intended to submit herself to the court, Dick, until yesterday afternoon. Then, a friend told her that Garavan was boasting of his victory and making a show of Lynette. Her friend said that Lynette danced in a nude state at his special entertainments; even worse things were hinted. Isola lost her head, and took the next train to Henley. She arrived at the house between nine and ten, and asked to see Garavan. She gave her own name—her real name. She was shown into the dining-room, where she found Garavan and eight or ten people having dinner. Lynette was dancing: she wore a dancer's usual protection at the middle, a short skirt, and a strip of transparent gauze round the bust. She was powdered and rouged, her hair had been treated with some preparation to give it a metallic sheen, and she had a wreath of poppies on her head."

He was wonderfully calm.

"There was a scene. Isola does not remember what she said, except that she insisted Lynette should be given up to her there and then. Nor does she remem-

ber what Garavan said, except that he was angry with the servant who admitted her. I imagine neither of them listened to the other. Eventually, Isola caught up Lynette in her arms, and Garavan took hold of her. He said, as she quotes him: 'Don't start a rough house with me.' What is 'a rough house'?"

"A physical struggle."

"Ah. Some of the guests interfered. They persuaded Garavan and Isola to talk it over by themselves; not a very prudent proposal, in view of the situation and their excited state, it seems to me. I gather that Garavan had been drinking. They went into the library together, Lynette being handed over to the housekeeper—not an unkind woman, Isola thinks, but presumably pliant. Lynette seemed to be fond of her.

"Isola, alone with Garavan in the library, insisted on Lynette being restored to her on the spot. Garavan refused, saying it was for the court to settle. He taunted her with having been fool enough to put herself in the wrong, triumphed over her. He said he would bring her to heel yet, and do as he liked with her brat. She went mad, virtually—lost her self-control completely."

Morry paused for several minutes.

"I cannot give you a clear picture of how it happened, because I did not obtain one myself. First, Isola said, at that point, 'So I shot him,' without explanation or preface. I asked, how came she to have a weapon. She explained that when they lived together in America, Garavan several times threatened to kill her. On one occasion he actually pointed

a pistol at her and swore he would blow her brains out there and then. She was terrified; she believed him to be capable of it. By the way, do you remember my mentioning a man who knew that she was going to have a child?"

"Yes: the man who can't be found."

"He came in on the day Garavan tried, or threatened, to kill Isola. It will be most unfortunate if he cannot be found. He must be found, if possible."

Morry uttered the words energetically, and then resumed the passionless legal tone.

"As Isola says, it occurred to her, just before she left her room at the hotel to go to Henley, that Garavan might try to use violence, and therefore it would be well to have a means of protecting herself. She had a pistol, a small, gilt-mounted automatic. It was already loaded. She put it in her handbag."

"Now as to the actual circumstances of Garavan's death. I told you just now that at first she said simply: 'So I shot him.' After she had explained to me what I have just explained to you, she said: 'He would have shot me if I hadn't.' I asked her what made her think so. She said he opened a drawer in a desk, and in it she saw a pistol; so she fired."

"Did he threaten her first?"

"The point is not clear. That is as near as I have been able to get to the picture of what happened. After Garavan fell, Isola did not try to ascertain whether he was dead or not. She left the room immediately. No one appears to have heard the report of the pistol; I gather, a small-bore pistol of that type does not make much noise. At any rate,

no one interfered with her. She went to the housekeeper, and said that Mr. Garavan no longer objected to her taking Lynette away."

"She used these words?"

"She says so. The housekeeper allowed her to take Lynette, who meantime had been decently clothed, and put on coat and hat and outdoor shoes quickly. Isola says she buttoned the shoes."

"Extraordinary."

"Yes, isn't it? It does not seem to have occurred to her that she had committed murder, or something near it. All that she could think of was that she had secured Lynette and must put her where she would be safe. She resolved to go to the lodgings where Lynette was born; the landlady, although in poor circumstances, is reliable. She lives at Acton. Isola stayed there the night and then came here."

There was a silence. Morry walked about the room.

"There is nothing to be done at present. The inquest will be a simple matter. Isola admits that she shot Garavan and refuses under legal advice to say more. There will be a verdict of wilful murder. We cannot help that. It would be the proper verdict for a coroner's jury to return under the circumstances even if Isola were defended to the hilt: therefore, there is no purpose in trying to defend her. As to the police-court proceedings, I think I shall advise her to reserve her defence. She must be tried, and it will be best to retain a free hand."

"You will let me help you if I can?"

"Of course. But there is nothing you can do at

the moment. I must try to trace the missing New Yorker."

"Sure you don't want me?"

"Quite sure."

I did not think that Isola was in serious peril. There were so many extenuating circumstances that it seemed impossible anything worse could befall her than a short imprisonment. I had to go North to attend the rehearsals of another play which was being done by my repertory friends, and remained away until the day of the inquest, travelling that night to town. The report gave me misgivings. It appeared that Isola had neither submitted to Morry's guidance when she returned to England, as she had led him to suppose, nor told him the truth when she gave herself up. She had sent numerous letters and telegrams to Garavan, insisting that Lynette should be restored to her. She had been twice to Henley before the fatal day. On the first occasion she was admitted, and had an interview with Garavan which lasted nearly an hour. The servants overheard them quarrelling. Garavan turned her out of the house, and as she was leaving she used threatening words. The second time she was not admitted, and the same day she wrote a letter to Garavan containing the sentence: "I promised what I would do if you insisted on keeping her, and if you don't let me have her back at once I shall keep my promise." It looked as if she had "promised," that is, threatened, to kill him. The jury might, in view of the provocation, find her guilty of manslaughter only; but even that would mean a long term of imprisonment.

I reached Clifford's Inn about nine-thirty in the morning and telephoned to Duncan, asking him to let Morry know that I was back, and would come across if wanted. Just after twelve Morry came to the Inn. I knew at once that something had happened. His eyes gave me a sharp pain at the heart. He put his hat on the table, and, without removing his overcoat, sat down and stared at the fire.

"I have been to see her. I asked her for the truth —all the truth."

He dropped his head until his chin rested on his chest.

"She told me everything, Dick. There were some things which I think you guessed, though I did not."

I held my peace.

"It makes it doubly difficult to save her."

He fell silent. For over an hour he sat there, immobile, staring fixedly into the grate. I ordered some luncheon for him, and made him eat it. He reiterated his desire that I should attend to my own affairs, and went away.

The case against Isola became still blacker during the proceedings before the magistrates. There was a quantity of new evidence, all tending to show that she had gone to Henley on the last occasion determined to kill Garavan if he refused to give up Lynette; that made the fatal act murder, stark and unmistakable. Some of this evidence also proved Garavan to have been one of those abnormal beings who made it their occupation to play with vice: but that was valueless from the legal point of view. The scream-papers talked about "the unwritten law," but

the unwritten law has no validity in an English court. I was very unhappy.

Two days before the trial at the Bailey, Morry sent for me. He knew that I could not be present in court on the first day, as I had to go North again, and could only get back for the second day. I had arranged to go to that as a spectator.

Morry took me to Notting Hill. After dinner we retired to his den. Sara made no objection this time. Morry had thoroughly frightened her.

He told me the authorities had been very fair; they had given him all the information he could reasonably expect. But it could hardly have been a more difficult case to meet. Assembled in order of detail, the circumstances pointed to the conclusion that Isola had murdered Garavan deliberately. If that were so, there was no escaping the penalty.

"She won't be hanged, in any case."

"I am not sure even of that. Several times lately women have been let off with imprisonment when, according to many temperate-minded people, they ought, in the interest of the community, to have paid the full penalty. Slatterthwaite is not a blood-thirsty person by any means, but he shares that view. He said so not long before he became Home Secretary."

(If a jury return a verdict of guilty against a person charged with murder, the judge must sentence the prisoner to death—the punishment is prescribed by law—and execution follows automatically unless the Home Secretary thinks it advisable that the sentence should be commuted: if he does, he advises the King to exercise the prerogative of mercy.

There is, now, a possible appeal on technical grounds to the Court of Criminal Appeal; but there was none then.)

Morry continued: "But she must not be condemned at all. She must be acquitted."

I tried to encourage him. "If she tells her story well, it will have a great effect on the jury." By this time the act allowing accused persons to give evidence was on the statute-book, and I had assumed all along that Morry would rely on Isola herself.

"I dare not put her in the box."

I was so much surprised that "Why not?" slipped out before I could stop it. I would have given much to recall the words—Morry looked at me so sadly.

"Because, in cross-examination, she would be asked questions relating to her past. If she answered them truthfully, the jury would think her undeserving of credence; and I cannot allow her to go into the box with the intention of perjuring herself."

He paused. Then he went on: "That is one of my difficulties. If she could tell the story herself, it might save her. There is no doubt in my mind that the immediate cause of the impulse to pull the trigger was Garavan's opening the drawer in which she saw a pistol. I can put that to the jury, but there is no evidence for it. It will have to be inferred from the fact that when Garavan's body was discovered the middle drawer in the writing-desk was open and the pistol visible."

It seemed to me the weakest case I ever heard of.

Morry got up and walked about. "Another point which troubles me is that there is no proof the pistol

was Garavan's. No one knew he had it. I don't think Hanson will go so far as to suggest that Madame Bella brought it with her and put it into the drawer after the shooting, but he may think it his duty to ask the various witnesses who might have known he had it whether they did know, and if so the jury will probably get the impression that there is a doubt about it."

He paused in the middle of the room, his head sunk on his chest, his hands in his trousers' pockets, and remained so for several minutes. Then he delivered himself of the following three and a half sentences: the third deserves to be written in gold in the annals of the English bar.

"I cannot win this case either on the law or on the facts. Both are dead against me. I will not get up before a jury and talk nonsense about the unwritten law. But if I can lead Macallan into a long-winded summing-up——"

Macallan was the judge who was to try the case. Morry knew him well, had often acted as his junior before he went on the bench. He was a big, bluff fellow and had been very effective in cases in which a stage beauty had lost her jewels, or something of that sort; but he had never acquired the power which most barristers perforce acquire, if they have it not as a natural gift, of improvising a clear, coherent statement in regard to difficulties and obscurities in the law. When he had to tackle legal problems unexpectedly, he had a trick of saying the same thing over and over again in different words, which was confusing.

"There is one loophole for me, and only one. Now, then."

Bit by bit, with many hesitations, pauses, and much retracing of steps, Morry built up an argument. It was a legal one purely, professing to show that the killing was not murder. I marvelled. His ingenuity seemed limitless. He quoted against himself, as he went along, every conceivable objection that could be brought against his thesis: and, always, followed a seemingly sound answer to it. As a *tour de force* it was amazingly clever: but I did not think he could get it past an English judge to the jury.

At midnight he said: "You must go, Dick. You are off to-morrow by an early train?"

"No—two-thirty."

"Then come to the chambers in the morning, unless you have something you must do elsewhere. It may be that one or two further points will arise in my mind which I should like to put to you."

I promised to go.

He had, however, nothing further to say to me the next day. I found him in his room, sitting staring at the table. He had a blue pencil in his hand, and it was beating "What-Shall-I-Do?" After some time, he said with a sigh:

"I wish I could get in touch with Mr. Frederick Durnsen."

"Freddie Durnsen? What do you want Freddie for?"

I have a cheap trick of speaking of people whom I do not know personally by their Christian names, much as the man you talk to on a bus speaks fami-

liarly of politicians. Morry thought I was sinning on this occasion.

"Durnsen is the man who came to the rescue when Garavan threatened Madame Bella's life. She thinks he took Garavan's pistol away from him."

I grabbed the telephone. "Why ever didn't you mention his name before?—Hallo, Exchange! Exchange!"

"You know him?"

"Gerrard two-o.—He was on legation at Petersburg. I met him yesterday in the Strand. I was in a hurry, but I stopped for a moment to ask where he was staying. I meant to go and look him up last night, but you collared me."

"On legation!" exclaimed Morry bitterly. "And I communicated through the Foreign Office."

"My dear chap, the State Department wouldn't know him. If they know the names of their ambassadors it's a wonder.—Is that the Savoy? I want Mr. Frederick Durnsen, of New York. He will probably be in his room. All right, I'll hold the wire."

"Is he a good fellow?"

"All wool and a yard wide and then some.—Hallo! hallo! Is that you, Freddie? Hallo! Dick Youatt. Are you in bed? Well, you've got to get up, see? No—now—quick. Put on your clothes and come down to the Temple. What? Yes, quite mediæval. Turn to the right out of Savoy Court, and keep right along till you come to the Law Courts. What? Idiot. Ask! Well, if you don't understand the language of the English, there's a thing sticking up in the middle of the street just opposite the door-

way leading into Middle Temple Lane. What? No, you fool, not a policeman. A sort of pedestal with a—a——" To Morry: "What is that thing they stuck up in place of Temple Bar?"

"The griffin."

I had forgotten there was a griffin on it. One never looks at him, somehow.—Into the telephone: "It's a tall pedestal, Freddie, with a griffin on top. Not a muffin—a *griffin.* Turn in at the archway and ask the porter to direct you to Abramson's chambers. A-b-r-a-m-s-o-n. But, I say, you must come now. Never mind what for, you'll find that out when you arrive. I'll give you what for if you aren't here in half an hour. You needn't shave, you won't meet any ladies."

"Grh-grh-grh-grh," said a very sleepy voice at the other end of the wire.

"Are you coming?"

Silence.

"Hallo! Hallo!"

Silence.

"Confound him! He's fallen asleep with the receiver in his hand. I don't suppose he went to bed before four or five. I'll fetch him."

Ten minutes later I was banging on Freddie's door.

"You are a fellow!" was his very English greeting. He relapsed. "Say, what's bitten Daisy? I met you yesterday for the first time in years, and you said 'Howdy' polite-like and passed on with scarce a smile to cheer me on my lonely way. At ten a.m. this morning you ring up to tell me I must leap from my virtuous couch and come to a religious sanctuary

to see a griffin. What is this you are giving the poor stranger?"

"It has to do with Isola Bella, Freddie."

"Huh. I saw she had met up with trouble. But where do I come in?"

"You knew her, years ago, didn't you?"

"I did."

"And Garavan?"

"And Van."

"And something of their mutual affairs—their relations?"

"Flag the rubberneck car," said Freddie. He rose—he had been sitting on the edge of the bed, in his very smart pyjamas, with his abundant dark hair tousled over his forehead. He went into the adjoining bathroom, sprayed his head with eau-de-Cologne, endued himself into a dressing gown of surpassing silkiness, brushed his hair, and returned into the bedroom. He took up a silver cedar-lined box filled with expensive cigarettes and offered me one; he took one himself, struck a match, and we lit up.

"What are you in this deck?" he inquired.

"I devil for Abramson, Isola Bella's lawyer."

"The devil you do."

"We want your evidence, Freddie."

"Well, you won't get it."

"Be a sport, Freddie."

"Nix for mine. I am not going to be mixed up with that bunch again. The captions would do me good, wouldn't they?—'Freddie Durnsen Recalls His Clubman Days.' "

"My dear chap, we simply must have your evi-

dence. I'm awfully sorry—I am, really—but we can't do without you."

Freddie's face relaxed no whit.

"You must give it, Freddie, to-morrow or the day after. Why not give it to us now?"

Freddie shook his head and continued to smoke his cigarette.

"If you won't give it willingly, we shall have to make you."

"How?"

"Do you want to learn?"

"Yes, I'd like to see the game played. I don't know it."

I rose, went to the bedhead, and took up the telephone.

"City 3392, please."

"Who are you connecting with?" inquired Freddie.

"Wait a minute, old man.—Is that Abramson's chambers? Duncan there? Duncan, Madame Bella's case. Tell Anson to apply at once for a subpœna against Frederick Henry Durnsen, gentleman, of the Savoy Hotel, and have it served as quickly as possible. Yes, Durnsen." I spelt it. Duncan said he would.

"Thank you so much for saying I was a gentleman," drawled Freddie. "But what is a subpœna?"

"An order from the court, directing you to attend at the trial, and give evidence."

"I don't care about that."

"You will find that you must care."

"Suppose I don't go?"

"The sheriff will send his officers to fetch you."

"Suppose I'm not here?"

"You will be here."

"I might beat it, old sport."

"Unless you give me your word of honour that you will testify, before we leave this room, I shall ring up Scotland Yard and have you kept under observation."

"What's this Yard place?"

"The City Hall—police headquarters."

"Oh-ho."

"Yes, sir, oh-ho. You will have plain-clothes men detailed to watch you. They will take care you don't make a get-away, Freddie mine, also that the sheriff's officers know just where to find you when they want you."

"Say, have you played this game before?"

"No."

"You seem to know all about it."

"Yes, I do."

Freddie took another cigarette. "There's one little thing you've forgotten. I am a citizen of the United States of America, not a subject of the King of England."

"But you are on English soil, old son, and amenable to the jurisdiction of the court as much as any British subject."

"Say, you seem to have it at your finger ends."

"You know all this as well as I do." He did.

"And one thing."

"Well?"

"I'm a privileged person, buddy. Your sheriff's officers can't touch me."

"You are not on legation in London. You told me yesterday you were only here for pleasure. Therefore, you are just a plain, unvarnished stranger within our gates, and as such we impress you in the cause of justice."

Freddie seemed impressed.

"I'll make a deal with you. I don't want to come of my own accord because I started by saying I wouldn't. Don't force me to go back on my word. I'll keep you posted as to where to find me, and I'll say whatever you like when I come, provided you'll send a Beefeater for me. Not a sheriff's officer—a real Beefeater. You see, we have sheriffs in our country, one for each county, and they are mostly an ordinary lot. So that wouldn't sound at all well —'Freddie Durnsen in the Hands of the Sheriff's Men.' But 'Freddie Durnsen Escorted by Beefeater to British Court'—say, you must arrange for me to be photographed."

"Sorry, but there's nothing doing. Beefeaters only attend on the Lieutenant of the Tower, and the King."

"Is that so?"

I assured him it was.

"Well—will you *show* me a Beefeater?"

"Yes. I was going north at two, but I'll put it off till the five-thirty train, and take you to the Tower after lunch."

"Then, don't shoot, Colonel. I'll come down. I didn't think you had so much sand, Dick. But what's the fuss about? Isola is in no danger."

"She is, unfortunately."

"No jury would condemn her."

"A British jury would—and will, unless something near a miracle happens."

"Do you mean that?"

"Sure. It is the reason for my being so keen to secure your evidence. It may just tip the scale."

"I wouldn't have joshed if I had thought it was serious for her. I knew she would have to stand being magnesiumed unexpectedly by the Kodakers in court——"

"That kind of thing isn't allowed here."

"Isn't it?"

"No."

"But the jury would condemn a poor woman like that to death?"

"Certainly they would."

"Huh. Now, what do you want me to say?"

"I must not suggest anything to you. Abramson may put some questions; he probably will, but only to elicit what you know."

"Well, but what answers do you wish me to give? What's the evidence he wants?"

"We want you to tell the truth."

"The truth!" ejaculated Freddie, as if he had never heard the word before. "And you're a pair of lawyers for the defence?"

"That makes no difference in our country."

"Holy smoke!" Freddie meditated, threw away his cigarette, and said he would dress.

He went into the bathroom, still ruminating. I overheard fragmentary mutterings, interspersed with remarks thrown at me.

"You are waked up in the morning, after a thick

night—I like your Scotch whisky, Dick; it is a drink for Christians. My old aunt at Albany always said the Scots were pious—after a thick night, and are told you will see griffins on the streets. Griffins, not snakes.—Dick, is this griffin chained up, or in a cage, or how?—They don't allow a criminal to be photographed; they merely hang a perfectly innocent woman just because she killed a man.—Dick, about the griffin: do we need a gun? Have you yours with you?—And lawyers want you to tell the truth. To—tell—the—truth. I thought the English were a civilised people. I came back to the old home, almost a stranger."

The bath water put an end to his soliloquising. He appeared presently in a gorgeous bath robe, clean-shaved and very pink and fresh-looking—Freddie was always a wonder the morning after the night before—and demanded with reproachful eyes:

"Dick, why treat me so unkindly? Don't you remember all the services I rendered you in Petersburg? Have you forgotten that girl with the astrachan-topped boots?"

"Utterly."

"A man who could forget that girl would forget anything. Ring, and tell the bell-boy to bring two dry Martinis to refresh our memories. I can see I shall need mine."

I ordered the cocktails, which came while he was dressing. Sprucely attired, he turned to me with an air of resolve.

"Gimme the anæsthetic, and let's get it over."

I handed him his cocktail, he gulped it down, and

we went out. I tried to bring him to a sense of the seriousness of his errand.

"All right, bo. I'll be serious when the time comes. But I just dote on these toy buildings. London's a pet." He walked on. "There's another roundsman anchored in the roadway. Why do they do it, Dick? I saw one the day I landed, and concluded he must be doing it for a bet. But, since, I've seen others. Have you gotten too many police, and want to thin them out by getting them run over?"

I explained.

"Huh. There's a church bung in the middle of the avenue."

It was St. Mary-le-Strand. Presently we came in sight of St. Clement Danes.

"Hully Gee, there's another! Why clutter up the fairway with churches as well as roundsmen? And sawed-off churches like that?"

"Sawed-off yourself!" I retorted. Freddie is a little fellow. "Dr. Johnson used to attend that church, and the nails on the front door have bits of skin under their heads—the skin of Danish pirates. According to tradition, it was one of my ancestors who ordered them to be flayed alive."

"It's likely. I shouldn't wonder if one of them was an ancestor of mine."

He had me there. A minute or two later:

"Jumping Jehoshaphat, there *is* a griffin!"

I had to drag him into the Temple. Ushered into Morry's room, he remarked:

"You're the boss crimp, I judge? Well, here I am, shanghaied to rights. What might you want with me?"

Morry questioned him. Freddie can talk better English than I can when he chooses: I hoped he would to Morry, but he didn't. In reply to Morry's questions he said that he knew Isola before she met Garavan. Isola was one of the crowd, not a friend of his specially; they all went around in a bunch. He liked her, moderately. She was queer-tempered. Garavan joined the bunch later, and set Isola up in a flat. Garavan invited him to the flat. He went a number of times.

"Did she ever ask you to go?"

"Sure."

"Why?"

"To cheer her up. She used to get the blues pretty badly, and I brightened her young life by fooling with the piano."

Freddie was a pianist whose real ability was often hidden by his unorthodox methods of treating the instrument.

"Was that the only reason she ever asked you to go?"

"Yep, except the time Van pulled a gun on her."

"Did he do that?"

"Sure, he did. Hasn't she told you of it?"

Morry made the funny gesture with his head which he always made when people asked questions that were out of place. "I want you to tell me about it, Mr. Durnsen."

Freddie said that Garavan and Isola were always having rows. One day he (Freddie) received the fire-call from her and went around. Van was there, but not with her. She had locked herself in her

bedroom, where the telephone was. She seemed scared for her life. She said he had pulled his gun on her.

"Was he there when she told you this?"

"Sure."

"Did he admit it?"

Freddie reflected. "I can't say that he did. But he didn't deny it, you know. He had done it."

"You are convinced of that, in your own mind?"

"Quite."

"Had she really been in danger, do you think?"

Freddie replied that he could not say.

"You formed no idea at the time?"

"I didn't think Van had intended to shoot her, if that's what you mean. But I couldn't say that I thought she had not been in any danger. With a man like that you can't tell. He might have shot her."

"In other words, you think he was capable of it?"

"Sure pop, he was."

"Now as to the circumstances of the break between them. Do you know anything about that?"

Freddie said that Garavan got pretty sick with Isola. She nagged him after she knew that she was going to have a baby.

"Did you know beforehand that there was a baby coming?"

"Sure, I did. They had no end of discussions as to what was to be done."

"I see. Well?"

"So at last Van sent her five thousand dollars and told her to go to a Maternity Home."

"Five thousand?"

"Yep."

"How do you know?"

"I paid her the money."

"How came you to do that?"

"Van asked me to do it for him. He didn't want to see her again. He gave me a cheque on the Fourth National Bank: I cashed it, and handed the kid fifty hundred-dollar notes."

Morry reflected. "Can you say, of your own knowledge, that Garavan was in the habit of carrying a pistol?"

"Nope."

"Had he one?"

"Sure."

"Did you ever see it?"

"Yep."

"When?"

"On the day Isola said he had pulled it on her."

"How came you to see it?"

"I made him give it to me. The poor kid was scared to come out of her bedroom until he did."

"Did you give it back to him?"

"Yes."

"When?"

"Some days after—about a week, I think."

"Would you know it again if you saw it?"

"I think so."

"Is this it?"

"Yes," said Freddie. "Say, you're smart."

Morry told me afterwards that he had borrowed the pistol from the authorities while I was out.

On the first day, Sir Rodney Hanson, for the prose-

cution, opened with a succinct account of the events leading up to Garavan's death. He was forcible on the point that if the evidence bore out his statement, the killing was a murder. The evidence given did bear out his statement. Morry, in cross-examination, contented himself with bringing out details, especially those of the scene when Isola was shown into the dining-room. This looked like playing up to the plea of "the unwritten law"; but I knew that he was really trying to get it into the minds of the jury that Isola must have been greatly excited; he needed to do so in order to justify his contention that she fired in self-defence.

It was after ten when I arrived in London on the second day. I drove straight to the Bailey. In the corridor was a crowd waiting for chances of admission, but Duncan had warned the policemen on duty at the door, and a way was made for me through the packed alleyway at the side. Rennett, the junior clerk, had kept a place under the jury-box. He vacated it, and I sat down.

Freddie was in the witness-box. Morry was finishing the examination-in-chief, and asked Freddie to identify the pistol found in the drawer.

Freddie did so satisfactorily.

Morry was apparently about to sit down when he resumed his questioning position and asked casually:

"Oh, Mr. Durnsen—just tell the court what 'a rough house' means."

"Hit me, and I'll show you," said Freddie tersely. The jury smiled.

"A physical struggle?"

"That's it."

Morry sat down.

Sir Rodney Hanson cross-examined on one point only.

"You told my learned friend, in regard to the occasion on which you took into your possession the pistol you have identified, that when the prisoner recounted her plight to you over the telephone you said in reply: 'He's crazy.' What did you mean by that?"

I saw that Freddie had made good. In a tight place give me an American every time.

He tried to get away with it. "I meant he was crazy mad."

"Implying that he was out of his mind?"

This was awkward for Freddie.

"Well, just mad."

"I believe the words 'crazy' and 'mad' are used in a different way on your side of the Atlantic, Mr. Durnsen, from that in which they are used here. That is the ambiguity I want to clear up. Did you mean that you thought the deceased was a dangerous madman?"

"I can't say that."

"You meant that he was very angry?"

"If you like to put it that way."

"Thank you, Mr. Durnsen."

Freddie had done his utmost, but Sir Rodney had been too sensible of his duty to let the impression remain that Garavan was held by his friends to be an irresponsible lunatic.

Morry rose to address the jury.

"Gentlemen of the jury. The task which has fallen

to your lot and the task which has been placed upon me are alike less complicated than such tasks usually are in cases of so grave a character. My learned friend who leads for the prosecution described the events leading up to the fatal act, as far as they are known to him, with exemplary fairness. The witnesses called for the prosecution gave their evidence conscientiously. You would notice that I only put to them, in cross-examination, questions tending to elucidate more clearly certain points which, no doubt unintentionally, had been left obscure. My learned friend had not, when he addressed the court, the advantage of knowing the additional facts supplied by Mrs. Nollis and Mr. Durnsen. It may be that if he had known them, he would have told the story differently.

"Mr. Durnsen's evidence alone is so important that it puts a totally different complexion on the case. I shall try to place it in its proper light presently. My learned friend accepted it, together with the evidence of Mrs. Nollis, in exactly the same way as I accepted the evidence of his witnesses. He merely put a question to Mr. Durnsen with the object of clearing up a trifling verbal ambiguity, and the questions he put to Mrs. Nollis had not, if I may say so with respect, anything to do with the case at all. It does not matter in the least whether what Mrs. Nollis told the prisoner was wholly true, partly true, or wholly untrue. The only thing which matters is, that the prisoner believed what she was told, and that it had the effect of agitating her."

Mrs. Nollis was the lady who had called on Isola

and poured horrible stories into her ears as to Garavan's treatment of Lynette. Morry had so contrived his questions to her as to give the jury an inkling of the nature of the stories, and Sir Rodney Hanson had afterwards elicited from Mrs. Nollis an admission that she had only been repeating gossip.

"Therefore, we have this unusual position—the facts are agreed. You have not to consider the difficult problem which is almost always a part of cases so serious as this—the problem of how far you believe the different witnesses, whether you ought to prefer this part of the evidence to that. No such difficulty confronts you. The facts are there, and you only have to make up your minds as to what they show the motive of the prisoner to have been when she pointed her pistol at Mr. Garavan and pulled the trigger. Nor have I a difficulty which usually presents itself to counsel charged with the onerous duty of defending a person accused of the awful crime of deliberately, wilfully, taking the life of another. It is not necessary for me to endeavour to explain away parts of the evidence, to persuade you that this and that which is alleged is not true. I admit that what is said as to the prisoner's actions, so far as there is direct evidence of them, is true. I have no wish to dispute it, because, on the facts stated, it is clear to me that the prisoner did not murder Mr. Garavan. She killed him. But she did not intend to do so."

Morry was at his best—very quiet, and the more forceful for being so quiet.

"That is where my learned friend and I differ. He draws certain inferences from the facts, and his infer-

ences seem to show that the prisoner is guilty of murder. I, from the same facts, draw opposing inferences—inferences which show that the prisoner is not guilty of murder. The difference between us in that respect is sharp, and it constitutes the issue. That is the question you have to decide—did the prisoner's action amount to murder, or not? I do not think I shall have much difficulty in showing you that it did not.

"First, what are the facts? You only heard a résumé of part of them from my learned friend, because, as I remarked, he did not know them all. Now we have the whole story before us, and I think all in this court, no matter what their duties may be, or where their sympathies may lie, will agree that never was a sadder story unfolded in a court of justice. The pity of it! Oh, the pity of it! Here was this young man, healthy, wealthy, a bachelor, living a life of pleasure in New York. Here was this girl of seventeen, little more than a child, adrift on the world through no fault of her own, compelled to earn her living as best she could. She was earning it honestly. Mr. Durnsen's evidence has made it perfectly clear to all of us, if any of us had ever doubted it, that the woman who now stands in the dock as the outcome of her acquaintance with Mr. Garavan was, when she first met him, a pure girl. She permitted herself to enter into a kind of relationship with him which all right-thinking persons reprobate. Mr. Durnsen told us why. The prisoner loved the deceased. She gave him the best a woman has to give—the love of her dawning womanhood."

Sceptical as I had always been in regard to Isola's virtues, I felt an uncomfortable smarting of the eyelids. It was the voice, the deep sad tone, that did it.

Morry went on with his rearrangement of the facts, making full use of Freddie (Old gold-heart, I wonder where you are as I write? I never had a chance to tell you what I thought of you after I read the full report, but if you did tell some lies that day, I don't believe they are recorded anywhere else). It was after one o'clock when he brought the narrative down to the fatal day. Then he said:

"The prisoner's actions on that day, as far as they are known to us, are so important in the case that they require most careful scrutiny. In recounting them I shall be obliged to go into detail, and that will take time. As we shall shortly have to adjourn, I shall now content myself with reminding you of the heads as brought out by my learned friend in his opening speech, supplementing them only as to points which emerged during the examination of the witnesses."

The clock was at five-and-twenty minutes past one when he reached the moment when Isola pulled the trigger. Then:

"We have to adjourn. Before you leave the court I want to put two questions to you for consideration during the interval. The case will necessarily occupy your thoughts, and it may be well to have a focussing point. The questions are these: When did the prisoner make up her mind to shoot Mr. Garavan, and what caused her to make it up? She must have come to a decision at some time. Obviously, she had not done

so a few days before, when she was at Henley: on that occasion they were alone together for three-quarters of an hour, and she must have had more than one opportunity to shoot him if she had intended it.

"Did she make up her mind before she came to the house on the fatal evening? Weigh the circumstances. She went to the front door, gave her name, and asked to see him as any ordinary caller might have done. Was it when she was shown into the room where Mr. Garavan was entertaining his friends? She might then have shot him before anyone could prevent her: but she made no attempt to do so. Was it when he laid hands on her because she caught up her child in her arms? Then why didn't she do it? Was it when she went into the library? Again, then why not do it? It was nearly twenty minutes afterwards that she actually committed the fatal act. Was it then that she made up her mind—the moment before she pulled the trigger?

"That is the first question—When did the prisoner make up her mind to shoot Mr. Garavan? The second question is: When she did make it up, what caused her to do so? There must have been an immediate cause, because, as I pointed out, clearly she did not intend to shoot him when she went to Henley the first time, and her grievance as to her child being kept from her was in full force then. So it was not that. What was it? I submit these two questions. When did she make up her mind, and what led her to make it up at the particular moment when she did so?"

We adjourned. Morry's object in this was, as he

explained to me during the interval, to lead the jury to see that there was no evidence of Isola's having made up her mind at any definite time beforehand, and then leave them to draw the inference that she made it up at the last moment because Garavan was trying to get at his pistol: the idea being that the jury would come to these conclusions immediately, and in the half-hour before we resumed would get them firmly embedded in their minds—all the more firmly because apparently they had found them for themselves. Such is the art of the pleader.

After the interval, he resumed: "Before the adjournment I formulated two questions for your consideration. I must not ask you whether you have made up your minds as to the answers to them or not. Now let us see. What happened, exactly, as far as there is evidence, on the day on which Mr. Garavan was shot?"

He used the testimony of Mrs. Nollis as a basis, and worked it up to show that Isola was in a state of great nervous excitement when she arrived at the house. Then he broke off to go for Hanson.

"Here, I must differ from my learned friend on a point of detail. But it is a very important detail, and it illustrates the difference between us as to the interpretation of the facts. The prisoner had been to Henley twice before. On the first occasion she was admitted, there was a dispute, and subsequently Mr. Garavan gave orders that she was not be admitted again. Accordingly, on the second occasion she was refused admittance. How came it, then, that she was admitted on this third occasion? You have been told

why. A guest, a lady, had been expected who had not arrived; the servant who opened the door knew that, but did not know the lady's name. Nor did he know the prisoner's real name; he knew her by her stage name. He mistook her for the missing guest, and admitted her into the house.

"How was it that he did not recognise her? My learned friend put the question to him, and the answer was: 'She wore a veil.' Later, my learned friend, in examining the butler, who saw the prisoner as she was passing through the hall, asked him the same question: how was it that he did not recognise her? But my learned friend put it differently. He divided it into two parts. First: 'Did you recognise her?' The witness said: 'No.' Second: 'Because she was disguised?' Answer: 'Yes, she wore a different style of dress from any I had previously seen her wear, and her face was covered.'"

Morry's voice took on a deep, almost angry, tone. "I protest! I protest against this insinuation that the prisoner was disguised! Is it a disguise to put on a plain cloth dress made by an ordinary tailor, a black hat such as any lady might wear at any time, and a veil? Gentlemen, it may occur to you to ask yourselves: 'Why did she put on a veil?' Ask yourselves another question. Suppose the wife of any one of you had been suddenly bereft of her child. Suppose she had been suffering for over a fortnight an agony of anxiety. Suppose she had received news which lacerated her feelings afresh, racked her with new and terrible fears. She has to make a journey, a railway journey, in the endeavour to recover her

dear one. She has to go to a crowded station, book a ticket, sit in a compartment with other people. What would she do? She would dress herself as quietly as possible, and put on a veil to hide the ravages which anxiety was making in her face. That was what the prisoner did. Would not every woman do the same?"

It was another illustration of the art of the pleader—the emphasising of important details. Morry justified himself as to the importance of this detail.

"Why do I dwell on a point which seems trivial? Because, although in itself it is trivial, it is vital to the case of the prosecution that a certain complexion should be put upon it." He hammered the next sentence. "They say the prisoner murdered the deceased, and to make that out they have to show that when she went to the house she intended to kill him. Does a murderer usually go to the house where the intended victim lives, knock at the front door, and give his or her name? No. But that is what the prisoner did, according to the witnesses for the prosecution. In themselves the facts do not lend any colour to the theory that the prisoner went to the house intending to kill Mr. Garavan. Therefore it is necessary for the prosecution to put a certain complexion on them. So, they insinuate that she disguised herself. Whereas, in fact, she did nothing of the kind. She simply dressed herself as any lady would dress herself under such trying circumstances. Is it not clear, clear beyond any possibility of doubt, that when she went to Henley she had no idea in her mind of killing?

"Oh, but then why did she take a pistol with her?

"If it had not been for Mr. Durnsen, I should have been in a difficulty there. To take a pistol on an errand of that sort, unless there is a reason for doing so innocently, would look bad. As it is, thanks to Mr. Durnsen, who gave his evidence in a manner which convinced everyone in this court that he was speaking the truth, I am in no difficulty at all. It is not necessary to explain to you why the prisoner put a pistol in her handbag. You know why. She went to Henley in fear of her life. And her fear was justified."

He described with a restraint that brought out its intrinsic detestableness, the scene that confronted Isola when she entered the dining-room. His voice seemed to melt with emotion as he said:

"She had brought up her child well, had tried to ensure, as far as possible, that little Lynette should atone, in the eyes of those with whom she came in contact, by good manners and good behaviour, for her irregular parentage. You heard the evidence of the housekeeper, and of the other servants, as to Lynette's conduct. What must have been the prisoner's state of mind when she found her precious charge being degraded to titillate the jaded senses of a party of decadents?"

He paused.

"Indignation! An indignation so profound that she would have been morally justified, in the opinion of many people, in pulling the pistol out of her handbag and shooting the defiler there and then. That is what she would have done if she had come there with any

intention to kill. But did she? No. What did she do? She asked for her child. All she wanted, all she had come for, was to recover her child."

He went step by step through the circumstances until he came to the fatal moment in the library, using the present tense in order to intensify the reality of the picture.

"The man pulls open the drawer, and in it the prisoner sees a pistol. What had he said to her in the dining-room, when he tried to remove the child from her arms, and she resisted? 'Don't start a rough house with me.' You had the explanation of the meaning of the phrase from Mr. Durnsen. What did the deceased intend the prisoner to understand by it? Obviously, that violence would be met by more effective violence. There could be no other meaning. The deceased was prepared, if it came to a physical struggle, to be quicker than she. *He was prepared, if it came to shooting, to shoot first.*"

The intense conviction with which the words were spoken made a visible impression on the spectators; I could not see the jury, because I was almost underneath them.

"The prisoner knew that. She must have known it. She knew of what he was capable. He had threatened to shoot her before, relatively speaking in cold blood, and when he was sober. On this occasion he was violently excited, and had been drinking. But if he was violently excited, so was she, and people in a state of violent excitement act quickly. She acted quickly. She did what any sensible person would have done. She saw that he was trying to get at

his pistol, and prevented him from shooting her by shooting him. She could do nothing else."

He paused, and then asked, quietly—he had emphasised the previous passage:

"Is that murder? If it is, I know nothing of the law. His lordship will tell you that if the prisoner fired because she was in imminent peril of her life, she is not guilty of murder, or indeed of any crime except a nominal one. I will go further. I will say this. It would not be murder even if the prisoner exaggerated the imminence of her peril. I will tell you why."

He proceeded to unfold his legal argument. He led the jury into the middle of a maze, where they found themselves confronted by a verdict of Not Guilty. Then came the peroration. It contained a definite repudiation of the plea of "the unwritten law" as "a confused conception which finds no place in my mind and must find none in yours." "I do not ask you to be merciful: I only ask you to be just." "The prisoner at the bar is entitled to leave the court unstained by even a nominal condemnation of her desperate act." "I have done what in me lies: in your hands be it."

There was a burst of applause, sharply repressed by the ushers, and I could hear the jury moving above my head as men move after being rigid under a strain. I felt sure that Isola would escape.

Then, cogent and olympian, Sir Rodney Hanson poured cold water on the effect of Morry's art. Isola had shot Garavan because he refused to give up Lynette. All the facts pointed to that simple explana-

tion as to motive, whereas there was not an atom of evidence for Morry's theory that she fired in self-defence. It was much more probable that Garavan had tried to get at his pistol in order to protect himself from her than that she had had to use hers in order to protect herself from him. He might have threatened her eight years before, but there was no reason to suppose that he had done so since. Why should he? What possible cause could he have had for trying to use violence? The jury must not be led away by the ingenuity of counsel for the defence. They must use their common sense. Sir Rodney made no attempt to deal with Morry's maze, merely referring to it as "an ingenious legal argument as to the validity of which his lordship's directions will enable you to judge."

I was not so sure after this that Isola would escape. Sir Rodney had evidently shaken the general disposition to accept Morry's version of the scene in the library. And, as the summing-up went on, my hopes sank lower. The judge was, on the whole, against Morry, although scrupulous in mentioning the points in Isola's favour. He laid it down that only the being in imminent peril justifies homicide, and emphasised the fact that although Garavan had opened the drawer, he had not taken out the pistol. There was no evidence that Isola's life had ever been in danger, or even that she had supposed so, although that might possibly be inferred from the circumstances as a whole. The prosecution might have laid too much stress on certain facts which went to show that there was premeditation: with regard to the prisoner's conduct after

Garavan's death, although it appeared that she had been cool and collected, she had not attempted to make it appear that she had been obliged to protect herself; she had left the pistol where it was, had not taken it out of the drawer and put it in the dead man's hand. The jury must come to a conclusion on the facts as they had been presented by the witnesses.

Then he began on Morry's maze. He was against Morry as to that too. But he meandered, began presently to flounder. My hopes rose a peg. He recovered firm ground, and my hopes sank. A few minutes later it became patent that he had not really grasped the point, or if he had, he could not put it clearly into words. The spectators grew restless, the law clerks hunched their shoulders and whispered sneeringly to one another. Macallan repeated himself, not for the first time.

There were restless movements in the jury-box over my head.

Morry sat like a statue. He never looked at me, never even blinked.

I was too far off to see the pencil, but I felt sure the beat was changing. "You've got him!" I cried exultingly to myself: "By God, you've got him cold!"

All the same, my heart began to throb painfully as soon as the jury had retired. Taken all round, it was a hanging summing-up. I felt sure the jury did not understand the last part of it, but suppose they said: "The law be blowed. She threatened the man when he wouldn't give up the child, and then she killed him." Sir Rodney had put that view of the matter very plainly in his polished language.

They were out for forty minutes, and during the wait the excitement in court rose like a thermometer in the sun. The place was packed with people sitting jammed tightly against one another on the seats, standing on the steps and in the alleyways packed front to back and side to side. No one dared to go out because it would have been impossible to get in again. The telegraph boys ducked and squeezed their way somehow from the door to the Press table and back again, and when this happened there were curious swaying movements among those who were standing as though a breeze were moving their heads. A breeze was what was wanted. The atmosphere was stifling, in spite of the smell of crushed herbs which is characteristic of the Bailey. Sweat came out on almost all the faces, and moment by moment I expected some woman to faint or to go into hysterics.

At last the jury came filing back into court. The judge entered and resumed his seat. Isola reappeared in the dock.

The foreman got up.

"Do you find the prisoner Guilty or Not Guilty?"

"Not Guilty, my lord."

There was cheering then that could not be repressed; I am not ashamed to say that I joined in it, and was reproved by an usher in consequence. Vainly did he and his fellows command silence. Vainly did the judge himself reprove us with uplifted hand: not a word of what he said was audible a few feet away. Isola's celebrity and her beauty, coupled with the story, had won the sympathies of most of those in court before Morry worked them up to an

eager partisanship. Now they let themselves go.

At last something like silence was restored, the judge discharged the prisoner, and the court rose. Then the hubbub began again. People pressed round the dock, congratulating Isola. She had been standing, rigid as a stone, since she had been brought back to hear the verdict, and now the wardress spoke to her smilingly, telling her, I imagine, that she was free to walk away then and there if she liked, but as she would probably be mobbed by sympathisers it might be better to go down below again and leave by the side entrance. She said something in return, evidently referring to Morry, and sat down with her eyes fixed on him.

He was receiving congratulations. I was waiting to offer mine, and heard Sir Rodney Hanson, who leaned up from the row of seats below, say warmly: "Magnificent, Abramson. You really must make up your mind to come a step down in the world"— meaning that Morry ought to take Silk at last, when he would sit in the lower row with the K.C.'s. Several spectators pressed up in spite of the ushers (who were trying to clear the court) and wanted to shake Morry by the hand. He acknowledged these tributes by nodding his head mechanically. He did not look in the direction of the dock. He gathered up his papers and gave them to Duncan, spoke a word or two to Finegold, who had been with him in the case, and moved to go. His eyes met mine. My congratulations died on my lips.

"Ah, Dick. Coming to chambers?"

"She wants to thank you," I whispered.

He did not seem to hear. "Come back with me." It was an appeal.

As we moved towards the door, I glanced in the direction of the dock. Isola was gazing at us. She half rose, and made a gesture with her hand. I looked away.

As soon as we emerged into the corridor, cheering broke out. "Good lad, Abrams!" "One for the Jew boy!" "God bless you, sir!" "He was a proper bad 'un, and only got his rights!" "Well done, Mr. Abraham!" The police pushed the people aside and made a way for us. Morry leant heavily on my arm.

A friendly policeman at the entrance called up a taxi. I almost had to lift Morry into it. As we drove away I told the man to stop at the first public-house. I went in, got a glass of brandy, and brought it out to Morry. He tried to take the glass, but his hand shook so much that I had to put it to his lips.

He never mentioned Isola's name in my hearing, after the luncheon interval that day, until—read on.

I came to the conclusion that she must have played him false as woman to man, knowing his code of morals to be a strict one, that with him it would be marriage or nothing. Perhaps I was wrong in attributing the slowness of his courtship to the desire to spare his mother; greatly attracted as he undoubtedly was by Isola's twilight beauty, he may have found it difficult to be wholly sure about her, and she, sensing this, have sought to draw him on by pretending to be, in tastes and disposition and ideas, quite a different person from what she really was. The realisation of her peril after the inquest—I don't

think she realised it before—drove her to a full confession as to the manner of life she had led; from which Morry saw that she had deceived him in a manner which made any close personal relation between them impossible. He saved her from the danger in which she stood, but except as to that he would have no more to do with her.

A wise man only believes in one woman in his life. Happy is he whom She does not fail.

CHAPTER VII

K.C., M.P.

As the result of securing an acquittal in the Henley Shooting Case, Morry took Silk with such éclat that his earnings as a K.C. were double what they had ever been before. This justified the change in his mode of living which he made not long after.

Several other things happened about that time. A general election took place, and Morry entered the House of Commons as member for Limesea. I went to one of his election meetings. After his speech, which was admirably phrased, but seemed to me to lack punch, questions were handed up. One was:

"Will Mr. Abramson say why it is on account of men like himself that women think they can shoot anybody they like?"

Morry made the obvious retort—wisely, because audiences at political meetings prefer the obvious. I wondered what it cost him.

He was not altogether popular at first in the House; the impression he made as a legislator was all right, but on the social side there was something to be made up for subsequently. His gravity was disconcerting; what can you make of a fellow who never laughs and rarely smiles over even the funniest of stories? Also, for some time he retained the simple personal habits acquired in the years of struggle and kept to since; he did not rise all at once to cigars and champagne.

So, when someone alluded to him as a solemn Squaretoes and the inevitable House of Commons wit said it ought to have been Solly Squaretoes, the nickname stuck, although it was not long before honourable members began to discover that there was a lot in Abramson really. Eventually, he became one of the best-liked and most respected men in the House.

There were also events in the family. He heard of a doctor at Vienna who was treating with success the particular form of adiposity from which Mrs. Abramson suffered, and arranged for her to go over. The result was startling. A few months later Mrs. Abramson returned no more than a comfortable size for a woman of her years, and whereas before it had been obvious that her disease might bring the end at any time, there was now no reason to suppose that she would not enjoy many years of life. She was prepared to enjoy them, but, in her newly-restored activity, not in London; she wanted to go back to the country. Meantime, Jessie had lost her husband, and was left poorly off. Morry had been helping her a good deal, especially in regard to the education of her boy and girl. David went to Westminster School and Mariel to St. Paul's; so it was clear that the sensible thing would be for Sara to go into the country with Mr. and Mrs. Abramson, and for Jess to keep house for Morry in town. He bought a house at Mirfield for his father and mother, and cajoled Sara into compliance. For himself and Jess he leased from the Crown one of the fine old mansions in Regent's Park, and had it done up and furnished in the most elaborate style. He began to entertain.

Jess was quite a good hostess, and Morry soon became a figure in the social-political world.

The change was all to the good, and he might have benefited by it much more than he did. Sara was one of those women who aridify a home, and her outlook on life was limited; Jess was not only amiable but intelligent, David and Mariel were pleasant young people. Morry might have been humanised if he had been able to give more time to the home life and to take a real interest in it. As it was, he leant on Jessie's sociability and confined himself to being proud of David and Mariel, especially of their achievements. He joined us sometimes of a Sunday evening in the music-room, when we sang part-songs and told stories and sometimes romped; but it frequently happened that the others hardly saw him for weeks at a time, except now and then at meals, when he talked cases and politics, trying hard in the pauses to recall his last glimpse of their personal interests.

As for me, I saw more of him in the three of four years after he took Silk than I had ever done. David and Mariel adopted me as an uncle, and I was a great deal at Regent's Park. My dramatic blossoms withered in the chill wind of public indifference, and I became a regular attendant again at chambers. Those were the days of the cross-examinations which brought Morry to rank with the greatest exponents of that branch of forensic art.

CHAPTER VIII

A Woman Trap

The consultation had only been arranged that morning—a special fee being paid for it to be held the same day. From the legal point of view there proved to be no reason why I should have bolted my dinner and Morry be neglecting the interests of Limesea; but, as it was clear that the bewildered gentleman responsible would have been unable to rest if he had not unburdened himself, we forgave him.

He explained that he had married, three years ago, a lady somewhat older than himself, whom he greatly admired. They had both done their best to make the marriage a success, but it was not a success, and after two years they had separated amicably. His wife possessed a fortune of her own. A few months later she had asked him to allow her to divorce him: she wished to be free, but was unwilling to incur the obloquy of appearing to be the guilty party. He had consented, and his solicitors had told him what to do in order to provide her with the necessary formal evidence.

Matters had gone on in the usual way, as he was told, until yesterday, when, without any pre-communication with him, his wife had applied for—what was it?—oh, yes—for leave to amend her petition by substituting the name of a friend of hers, who had stayed with them, for the conventional lady unknown. It would be said, evidently it must be said,

that he had misconducted himself in his own home. He resented the imputation. He had done nothing of the kind. He would not dream of behaving in that way under any circumstances. As a matter of fact——

The solicitor remonstrated.

Oh, well, it didn't matter now—as a matter of fact he had never misconducted himself at all. The arranged-for misconduct was merely nominal. He had agreed to submit to a stigma of that sort for his wife's sake, because, after all, among men of the world—quite so. But he would *not* submit to the stigma which it was now sought to fix upon him. The case must be fought from the start.

He struck the table and drew a deep breath.

We knew the reason for the wife's change of plan. A long list of divorce suits had been left over at the end of the previous term, and for the new term a retired judge had been summoned from his golf and rose-growing to help his over-worked colleagues. Sir Dalziel Peabody had been a Rhadamanthine old gentleman before he left the bench; bunkers and green-fly had not softened the sternness of his temper; he cared nothing about the practice in the Divorce Court, and when the first arranged case came before him, stamped on the time-honoured imposture and refused a decree. Consequently the wife's solicitors had taken alarm, had told her that her petition might fail.

Morry said to the solicitor: "Have you given notice of your intention to oppose, Mr. Badgworth?"

The solicitor said he had not.

"Then do so. That is really all that can be done at present, Mr. Mallynge. The case will be taken out of the unopposed and put into the opposed list, and will have to take its turn. It is very improbable that it will be reached this term. However, as you are here, we may as well make use of the opportunity. Tell me a little more. Who is this lady whose name is to be put in?"

"Miss Hautwreck—Lorice Hautwreck. She lived with my wife before I knew her."

"Before you knew your wife?"

"Yes."

"How long have you known Miss Hautwreck?"

"I saw her for the first time as my wife's bridesmaid."

"On your wedding-day? Well, we may assume that nothing will be said about that occasion. When was the next time you saw her?"

"When she came to stay with us the first time."

"How long was that after you were married?"

"About four months, I think."

"How long did she stay?"

"Three weeks, to the best of my recollection. She came on the——"

"Never mind the exact date now. Mr. Badgworth will see to all that. I just want you to give me a general idea. Miss Hautwreck came a second time?"

"Oh, yes—a second and a third time. I am not sure whether it was not four times altogether."

"You will, no doubt, be able to fix your recollections. Now tell me. Did you never meet her anywhere but at your own house?"

"She dined with us when we were in town—several times."

"Did she never stay with you in town?"

"No. She lives in London."

"Where did you dine on those occasions?"

"At a restaurant."

"Your wife being present?"

"Certainly."

"You were never alone with Miss Hautwreck, then, in town?"

"We met one afternoon in the street, by chance, and she suggested that we might have tea together. So I took her to Princes'."

"I do not think much could be made of that. Now as to the country visits. You were, naturally, left alone with her sometimes then. How did that usually happen?"

Mallynge said that he could not recollect ever having been alone with Miss Hautwreck in the house, except for a few minutes in a casual way, because she usually spent her time with his wife. He promised to go over this question in his mind.

"Then, outside the house. Did you take Miss Hautwreck out without your wife?"

"Sometimes. She rides, and my wife does not. At least, she rides now. She did not when first I knew her."

"Did you teach her to ride?"

I thought Mr. Crosthwaite Mallynge reddened a trifle under his tan.

"Partly. She had lessons between her visits."

"Whose idea was it that you teach her to ride?"

"Hers, I think. I am not quite sure now. I may have suggested it."

"Did you do anything else together which Mrs. Mallynge did not share?"

"We sometimes played golf."

"Did your wife always know of it when you went riding with Miss Hautwreck, or played golf with her?"

"Certainly. She usually made the arrangement for us."

"Did anything happen on these occasions which, in the light of the present position, I should know—anything in the way of flirtation?"

"Nothing whatever. Miss Hautwreck talked in a flowery style sometimes, but I have heard her do that to other people."

"Flowery?"

"Well—it might be called sentimental."

Morry eyed him gravely. "How would you describe your relations with her?"

"As friendly. She was my wife's greatest friend, before we were married at any rate."

"Not after?"

"Yes, in the sense that I don't think my wife had any closer friend. But it did occur to me, the last time Miss Hautwreck came, that my wife seemed to have tired of her."

"Do you think your wife was jealous of Miss Hautwreck, on your account?"

"I am absolutely certain such an idea never entered her head. There could have been no possible reason for it."

"Sometimes reason plays no part in such things, Mr. Mallynge. By what name did you call Miss Hautwreck?"

"Lorice."

"Never by any pet name, or nickname?"

"Never."

"What did she call you?"

Our client was distinctly pinker as he replied: "Usually by my first name—Godfrey. But she sometimes called me her Lilybird. I don't know what it means. I don't think she meant anything by it. It was just—er—a sort of silly joke."

"You must forgive me for asking this question, but it is very important. Were there ever passages between you which might possibly have been mistaken by anyone for passages of affection?"

Rose-pink deepened to crimson. "Well—she used to play the fool sometimes. There was no harm in it."

"I am afraid I must ask what you mean by that. A jury will expect to know."

"Er—she took hold of me—caught my arm, or put her hand on my shoulder—only in play. It wasn't a regular thing. It happened once or twice, that's all."

"What did you do?"

"Nothing. I—er—used to tell her she would make my wife jealous, or throw off some remark to a similar effect. Then she let me go."

"Your wife being present?"

With cheeks a deep beet-root colour: "Well, once or twice she did it when my wife wasn't there."

"I thought you said it only happened once or twice altogether."

"I was speaking figuratively. Er, dash it, I hate this."

"*I* don't like it," responded Morry genially, "but you see, Mr. Mallynge, if I am to appear for you, I must know exactly how matters stood between you and this lady. You would not intentionally deceive me, of course, but to speak figuratively about matters of fact may lead me into a blunder which will be fatal."

"Quite, quite. I see that. There wasn't anything in it. So long as you understand that, I don't mind. There was nothing in it—on either side."

Morry became pensive. His reflections lasted for several minutes.

"Have you tried to communicate with Miss Hautwreck since you heard of this?"

"Yes. I went to see her yesterday. She sent out a message to say that she could have nothing more to do with me."

"From which you infer, I imagine, that your wife and she are acting in concert?"

"I fear there can be no doubt of it."

Another pause.

"How old is Miss Hautwreck?"

"She must be twenty-five," replied Mallynge after some hesitation. "She may be more than that—perhaps thirty."

"What is her disposition?"

Again the client was at a loss, and Morry suggested: "Bright?"

"N-no, not exactly. She is, er—talkative."

"What does she talk about?"

"I should say men, mostly."

"Ah. Particular men?"

"Sometimes, but more often men in general. She criticises our sex unfavourably. I gather that she has had an unfortunate experience."

"Of what nature?"

"I could not say."

"This is very important, Mr. Mallynge. Can you give me no idea? Has she been jilted for instance?"

"I never heard that she was ever engaged."

"Well, then, in what way has she suffered? What gave you such an impression?"

"The way she talks. I may be mistaken. She is so vague."

"Give me an example."

"Well, one of her favourite sentences is: 'Don't you think men are dreadful?' She says it to most people she meets, and usually follows it up by remarking that men pay attention to girls and then walk off, or something to that effect."

"If anyone had asked you a week ago as to her moral character, what would you have said?"

"Oh, that was good. Undoubtedly, quite good."

"And now?"

The worthy gentleman was much embarrassed. "Well," he ventured apologetically, "I really don't see how she could have lent herself to this abominable conspiracy unless she, er——"

"Unless she has had an adventure with a man?"

Mallynge nodded.

"How do you account for your wife's share in it? Be perfectly frank, Mr. Mallynge, please."

Our client looked very thoughtful as he said: "My wife has always been accustomed to have her own way and do just as she likes. She was allowed to spend considerable sums of money as a girl, and ever since she came of age she has disposed of a large income. She is also a woman of great strength of character. I do not like to say it—I dislike even to hint at anything to her detriment—but I am much afraid that she may have persuaded Miss Hautwreck into this by means of which I neither know anything nor wish to know anything."

"What was the cause of the separation? You merely said that your marriage was not a success although both of you tried to make it so. What was wrong, Mr. Mallynge?"

It is difficult to convey an idea of the extent to which Morry made it easy for clients to answer such questions. There was a brotherliness about him when he asked them which was irresistible. Mallynge responded to it, and gave us an explanation, the manner and the matter of which alike deserved respect. The gist of it was that he was nearing the forties and his wife just entered upon them at the time of the marriage. He had always lived in the country out of choice (he was that rare type, a modern country gentleman), and she in towns and largely abroad. There was no compatibility, and there was a deeper incompatibility which only revealed itself after marriage; as to that he said no more than he was obliged, like the gentleman he was.

As the door closed behind him and his solicitor I began to hum: *"Where, O where is that good boy Joseph?"*

"What's that?" said Morry, putting on his hat.

"It looks as if the lady-friend had given hubby the glad eye and the invitation had escaped his notice."

"I wish she were a different sort of woman."

"What more convenient sort could she be for you, as far as we can judge of her?"

"My dear fellow, if she has had adventures with men——"

"She hasn't," quoth I.

"But Mallynge said——"

"He said she talked about men. It's the girls who've not been there who do that. Those who have, keep their mouths shut."

"What a fellow you are for firing into the blue!"

Mrs. Mallynge was one of those hook-nosed, high-voiced English women who seem to think themselves very important—why, it is not always easy to imagine; but in her case there could be no doubt about: she was the Only Child of a Distiller. Examined by Hendricks, K.C., she said that during her married life it had occurred to her sometimes that her husband and Miss Hautwreck seemed to get on very well together, but she had never suspected them of a liaison. Later, gossip had reached her, and she had gone to Miss Hautwreck and taxed her with it. Miss Hautwreck had thereupon confessed.

During the luncheon interval Morry discussed the position.

"Well? Do you think she is lying?"

"I believe Mallynge absolutely, so she must be."

"I see no opening at present, and unless she gives me one, it will be dangerous to try and break her down."

I agreed. The attempt to break a witness down necessarily shows counsel in an unpleasing light, and to fail may be disastrous, especially with a woman who is a principal party in the case. Sympathy counts for a good deal, and juries are apt to let their sympathies run away with them when a woman who says she has been wronged emerges triumphant from a searching cross-examination.

Morry kept Mrs. Mallynge in the box for some time, however, probing here and there in the endeavour to elicit something which would be useful later. She replied to his questions in a tone of icy contempt, and he got nothing out of her.

I felt quite taken aback when Miss Hautwreck was called. I had pictured her as tall, stately, and probably haggard-looking. Instead, there skipped into the box a buxom little creature with bobbed hair, red cheeks, and staring black eyes. She answered the formal questions as to her name, age, etc., in a sort of rapid fire that was disconcertingly confident. She was twenty-seven; to look at her, she might have been anything between fifteen and forty.

Hendricks said: "You were acquainted with Mrs. Mallynge before her marriage?"

"Yes."

"And afterwards she invited you to stay at Tiverdale House?"

"Yes."

He asked about the date and duration of the first visit, and then began on the question of her relations with Mallynge. She described with fluency and an aggrieved gusto passages of flirtation— hand-squeezing and foot-pressing and such-like trivialities— elaborating her answers occasionally and throwing her head back.

I became aware that Morry was whispering to me: "This is metal more malleable, I think."

I assented mechanically. Actually, I was not at all sure about her. That was a most odd trick she had of throwing back her head; it remained, for a perceptible interval of time, in the thrown-back position, and then returned gradually to the normal one. All unconscious nervous tricks mean something. This one didn't look at all like incipient paralysis to me.

Hendricks had brought her to the second visit. It was the same sort of story, except that things were developing. I watched her, absorbed. It had occurred to me that perhaps she threw her head back whenever she was telling an extra big lie.

"Now as to the ninth of May. Do you recollect the evening of that day?"

"I never can forget it."

"Just tell the jury what happened."

In a confidential style, she related that Mr. Mallynge came into her bedroom——

Then that wasn't the explanation: she never moved her head at all over the terrible ninth of May. But I began to think that my long shot might have found the green. She was chattering away to the jury about

one side of the picture, completely unconscious that there was another. She said nothing as to her own behaviour; now, if she had really passed through the experience that she described with such glibness, she would have known that her own conduct was as much in question as that of the man.

When court rose Morry and I turned into Fountain Court on our way back to chambers, and walked round the basin—a habit of ours on fine afternoons. As the pencil had changed in the course of the day from "I-Don't-Know" to "What-Shall-I-Do?" and Morry said nothing now, I ventured to put forward my opinion.

"That woman is posing, Morry. She sees herself as the heroine of a romantic intrigue. I don't believe she knows what she's talking about."

"You may be right. But what is the line of attack?"

That was beyond me. I asked whether he had noticed the peculiar manner in which she threw back her head. He said he had, but did not think it of any significance. I differed and told him my first theory about it. He was interested.

"If you go through the transcript, can you say with certainty when she did it?"

(Everything said in a court of law is taken down by an official shorthand writer, and as quickly as possible after the court rises it is transcribed on a typewriter, so that counsel have it at latest by the next morning.)

I thought I could. He hurried to chambers and sent Duncan to get a copy of the transcript of Miss Hautwreck's evidence. It was sent to Regent's Park,

and Morry came back from the House early. We went over it together. I was sure of three places.

Morry's face went blank, and there was one of those uncomfortable silences to which I never became habituated. It was as though he were tearing at something that was invisible behind an impalpable screen.

"I have it," he said at last. "She does that when she is inventing a fresh lie."

He went over her story point by point, and showed me that all, or almost all, the other details might quite well have been thought of beforehand; but those over which she had tossed her head arose either out of the form in which Hendricks had put a question or an elaboration of her own in reply to one.

I could not see the value of this from the point of view of tactics, but Morry seemed satisfied, and next morning, while the judge was taking applications and we had to wait, the pencil beat "I-Wonder," which meant that he was hopeful.

He began his cross-examination by questioning Miss Hautwreck closely about her relations with Mrs. Mallynge previous to the latter's marriage. The witness did not see his object in this, and answered in the rapid-fire style she had adopted at the commencement of her examination-in-chief. She had gone too far in the way of insisting that they had been the best of friends to draw back when he brought her to the first downward step.

"You were not acquainted with the respondent at this time, I think?"

"No."

"And you were a bridesmaid at the wedding, were you not? . . . So that your feeling for the petitioner was not altered by the fact of her marriage?"

"No."

"Then when she invited you to stay at Tiverdale House, and you went, she was still your dearest friend?"

"Yes."

"When if first occurred to you that the respondent was unduly warm in his admiration of you, what effect did that have on your feeling for your friend?"

Her glibness was checked. She hesitated, made an evasive answer. Morry repeated the question. Eventually, she said that it made no difference.

"What was your attitude to his first advances?"

The witness hesitated again. As I said, in reply to Hendricks' tactfully worded questions, it had neither been necessary for her to represent herself as a willing party to the intrigue nor an unwilling one. Now she became conscious that to represent herself as merely acquiescent would be to hold herself up to contempt, while to have met the husband's advances half-way would have been treacherous and base. She began to toss her head. I saw the use that Morry had found for my suggestion now. Whenever she did that, he encouraged her to talk; he was acting on the belief that she was then lying impromptu, and would almost certainly entangle herself if allowed to go on.

She was framing her answers so that they tended more and more to become excuses. Morry played up to this; gradually, he edged her into representing herself as a victim.

"You still went riding with him alone?"

"He promised me there should be no more of it."

"Was that before he kissed you in the drawing-room one evening when you were waiting for dinner?"

"Oh, yes."

"Then he did not keep his word?"

"No."

"And you continued to allow him opportunities to break it?"

"I could not avoid them without doing something which would have aroused Irma's suspicions. But I was angry with him whenever he did break his word."

"Oh! What did you do when he kissed you?"

"I tried to prevent him."

"How?"

The witness made a long and detailed explanation. "I struck him—well, I didn't exactly strike him, but I put my hand out and pushed him sharply away. Then he got hold of me and held me so tight I couldn't move," etc.

"And after that what happened?"

"Irma came in."

"Well?"

"Then we went in to dinner."

"Did the respondent behave in his usual manner to his wife at dinner?"

"Yes, I think so."

"As far as you remember, he did?"

"Yes."

"And did you behave in your ordinary manner to her?"

"Of course I did."

"Miss Hautwreck. Did it never occur to you that to all appearances you were acting as treacherously as you say he was?"

"Well, how could I help it?"

"By taking measures to prevent him from continuing to act in that way. Was that not obvious to you at the time?"

"I don't see what measures I could have taken."

"But surely——"

"You don't know what men can be like," interrupted the witness. "They can make the most awful nuisances of themselves."

"You did not listen to what I was going to ask you. Surely you considered *at the time* what measures you could take?"

She had never thought of that. "Well, of course I did, in a way, but what can a girl do?"

"I am asking you that question, as to yourself. What occurred to you?"

"I might have complained to Irma, but it would have destroyed her confidence in Godfrey. I suppose you think nothing of that."

"It is not the question what I think, Miss Hautwreck."

The judge reproved the witness. "You must not be impertinent."

She bit her lip.

Morry lured her into another step. "The question is, what possible ways did you think of to end this persecution?"

Miss Hautwreck had not gone so far as to say that she had been persecuted, but she caught at the idea

when it was thus presented to her, and had made herself into injured innocence personified by half-past one. The last questions before the adjournment were:

"Now as to the ninth of May. You say the respondent came into your bedroom on that evening. You were expecting him, I suppose?"

"No, I wasn't. I hadn't the slightest idea of such a thing."

"But, surely, it was to be expected?"

No answer.

"Was not something of the kind to be expected, after all that had gone before?"

"I don't know."

"Oh, come, Miss Hautwreck! As a woman of the world you must have known that it was likely to happen?"

"I didn't."

"Was it your first experience of the sort?"—with just a suggestion of a sneer that stung her into protesting:

"Of course it was."

She was in the trap, but was not allowed to know it until after we resumed. It is sometimes very important not to give an inkling of what is coming later, when there is to be an interval during which the witness might reflect or possibly be prompted. On the other hand, if you want to get something from a witness which you fear may be withdrawn or qualified afterwards, the best time to get it is just before an adjournment, because then it remains in the jurymen's minds during the interval, and they may forget the subsequent denial.

The trap was sprung on Miss Hautwreck immediately after luncheon.

"I want you to tell the jury exactly what happened after the respondent entered your room."

She began to repeat what she had said in her examination-in-chief.

Morry stopped her. "I asked you to describe *exactly* what took place."

It took some time to make her understand. She had supposed that the reports in the newspapers of such cases went to the extreme limit of what could be said in public. Enlightened, she protested. The judge said:

"What is your object in asking for these details, Mr. Abramson?"

"I am instructed that the whole of this witness' evidence, in so far as it attributes to my client any incorrectitude of behaviour, is untrue. My client is waiting to go into the box and deny it detail by detail as far as the preliminaries are concerned. But if this scene never took place at all—and I am assured that it did not—he can say no more than that, which, your lordship will allow, would leave me in a difficulty. I have to show that it is a pure invention, and the only way in which I can do so is to test the witness by asking for the details—even the most minute details. It will be for the jury to decide from what she says whether it is probable that anything of the kind happened."

The judge said: "Very well. You are entitled to take that course. Such details are best left in the background unless there is a definite reason for bring-

ing them out, but when that is the case, they must be given."—To the witness: "Tell the jury, in the simplest way you can."

But this had formed no part of her story as she had prefigured herself telling it in the box, and she could not describe what would have taken place had the imaginary occasion been a real one, because she did not know. She threw her head back——

Some of her reading had evidently been none too healthy.

Morry pressed her. She grew nervous, her account confused. She simply could not tell him what he wanted to know, and he began to thunder at her. It was as if he were pressing her physically into a corner, driving her back, inch by inch, against a wall.

There were interludes. She became hoarse, asked for a glass of water. When it was brought, she drank, and the rim of the glass rattled against her teeth. She went on again. Her account was so improbable that it became evident she was romancing. I hoped Morry would let her go. The jury must see by now that part of her tale at any rate was untrue. (He explained to me afterwards that he dared not, because he was afraid of Hendricks. If she had been released without being forced into an admission that the substantial part of her evidence was false, Hendricks might have persuaded the jury that although she had invented details under pressure, the main fact stood.)

She made a statement that was absurd.

"Did that actually happen?" asked the judge incredulously.

The miserable Dutch doll protested that it did. Her story became wilder and wilder.

"But, really!" expostulated the judge. "We seem to be getting into the *Arabian Nights*. Think what you are saying."

The witness was trembling visibly.

"Sit down and compose yourself."

She sat down, but composure was beyond her. After a pause, which seemed very long, she retracted what she had said. The judge reminded her in quietly severe tones that she was there to state facts. "You have been indulging your imagination in the endeavour to explain how and why certain things happened. That is not necessary. Simply say what happened. That is all that is required."

She made a fresh effort—oh, that poor head! it was nearly jerked off—only to stumble afresh and contradict herself. The judge warned her again.

"You said a few minutes ago"—he read a passage from his notes. "Now you say"—he repeated the words she had just uttered. "Which statement is true? Both cannot be."

The witness collapsed. She was assisted from the box, taken into an adjoining room, and restored to some degree of self-control. Then she came back, and was put on the rack again. Morry tightened the cords with questions such as no man ought to be allowed to put to a woman against her will. I felt that when the case was over I should have either to boil my mind in a strong solution of soda or send it to the cleaners'.

Next morning, she was not there. Hendricks be-

came uneasy, and talked to Mrs. Mallynge. A clerk was sent out of court. The judge entered. Hendricks got up and stated that the witness under cross-examination had not arrived and had been sent for.

The judge said: "Then I think you should see this. I have, of course, no means of knowing whether it is a genuine document." He gave a letter to the clerk of the court, who passed it to Hendricks. Hendricks glanced at it, showed it to Mrs. Mallynge, and asked a question. Mrs. Mallynge, very white, assented.

Hendricks read the letter, and gave it to Morry. Morry read it, and passed it to his official junior and me. It was from Miss Hautwreck, and had apparently been written the previous night, as it announced the writer's intention of leaving England "by the early train in the morning." Mr. Mallynge had never behaved to her otherwise than as a gentleman ordinarily does to a lady who is his wife's friend. Mrs. Mallynge had grown cold to her, and then, some time after the separation, had come and begged for her help. "She promised that everything should be the same again between us, so I consented for friendship's sake. She said she would give me a thousand pounds when it was all over, but I didn't say I would take it." They had concocted the story between them.

The same afternoon Nesta rang me up. "Is that you, Dick?"

"Hallo, old thing! Where are you speaking from?"

"Alice Mountjoy's."

"Taken shelter from the storm?"—Nesta called Mrs. Mountjoy's flat her "refuge in time of trouble." O'Donovan Mack had recently published a book in which the leading painters of the day were savagely attacked, and, naturally, it had aroused resentment. —"How long are you staying?"

"Until Riette comes home. Then I am going to live with her."—Riette was Lady V.

I experienced a slight shock. "You don't mean—"

"Yes, I do, Dick. But don't let's talk about it. Look me up sometime."

"He has never been a husband to me." Nesta was looking away; a bright red spot burned in the cheek that was visible.

"Good Lord!"—I thought of O'Donovan Mack's behaviour with women since I had known him: his trick of making friends with them in droves, his avoidance of special relations with any one.—"What did he marry you for, then?"

"For protection. He called me his corn-plaster."

"Translate."

"His habit of getting fools of women to take their clothes off so that he might see their figures led to difficulties. He thought that if he were married there would be fewer such misunderstandings."

I choked down my disgust and tried to look at the position calmly. "I think you could get the marriage annulled. I am not certain, but I will find out."

Nesta blazed. "Do you think I am going to stand up before a lot of men and be asked questions such as Morry put to that wretched creature yesterday?"

So she had been reading the reports. They had been what the average man describes as very o-t, although carefully edited. I endeavoured to make the best of it.

"Unless your petition were opposed——"

"Of course Don would oppose it. He would jump at the chance of the publicity, and he would enjoy watching me being forced to talk openly about things I hate talking about at any time." She stamped her foot passionately. "Don't you understand, Dick? I hate all that kind of thing. I never wanted to know anything about it except in a natural way. Nothing would have induced me to go into that court and listen to that filth if I had not felt that I must know exactly what I might have to go through if I ever did make up my mind to it. And now I do know, nothing will ever induce me to go through it. Do you hear? Nothing—ever."

I was horror-struck. "Were you in court?"

"Of course I was. Your clerk got me in. I told him not to tell you."

I could say no more. No sensitive woman can be expected to submit to a procedure so utterly out of accord with modern ideas, unless she is driven to it in defence of her honour. I am not arguing that divorce ought to be made easier; that is another question altogether. I say that the way in which disputed cases are dealt with is a relic of mediævalism, and ought to be reformed entirely. The proceedings as at present conducted are an outrage on public decency. There must be many hundreds, there may well be thousands, of women who have committed no

fault and have been grievously wronged, but cannot bring themselves to pass through the torture-mill of the divorce court as the price of freedom. And why should such a price be exacted from them?

CHAPTER IX

Glimpses

Nesta remained with the Vochlears. Her position became less difficult after a while. O'Donovan Mack, having succeeded in quarrelling with everybody connected with the art-world in England, went off to the States; Nesta called herself simply Mrs. Mack, and the short-memoried world forgot the episode of her marriage and the separation. We saw each other fairly frequently as long as I continued to live in London, although I no longer went to the house except for the express purpose of seeing her, and consequently did not like to go often. Lady V's parties had ceased to be to my taste. There was too much money indirectly visible; not that she gave one the impression of running after moneyed people—she did not appear capable of running after anybody, even if she had needed to do so—but that moneyed people ran after her, if they were not in with the right crowd. Lady V was in with it: sometimes she seemed to believe that she was it.

Morry and Nesta met occasionally in the social world, and twice during this time they came to Clifford's Inn. I think it was on the second of these evenings that, after Nesta had gone, I told Morry why she left her husband. In conclusion I said:

"Isn't it damnable how things get tangled up? If ever there was a girl who would have made a good

wife, it's Cockles. Yet she goes and marries a man who, in spite of his abilities, is an absolute rotter."

Morry was standing by the door, with his hat in his hand, about to leave. He had paused to hear my final remarks. Just before he went out he raised his eyes and looked at me for a moment. I was sitting in an armchair, with a pipe in my mouth, and a glass in my hand containing the remains of a whisky-and-soda, in that comfortable frame of mind when one's only regret is that everyone is not as comfortable as oneself. Afterwards it struck me that he had looked as if he would like to ask for an explanation —as if he were wondering about something.

My health broke down, and for several years I only came to England for the summer months. My connection with Morry in his profession, such as it had been, came to an end.

Whenever I came to London, I called in Regent's Park, and twice I stayed there. Jess and David and Mariel never failed to make much of me. Morry was glad to see me, too, but his time was so much taken up that, except when we all went down to the country house he had acquired in Buckinghamshire, my intercourse with him in private was limited to luncheons on Saturdays when we went to cricket matches afterwards, and evenings when we dined together and went to a theatre or to the National Sporting Club. Morry's taste for cricket and boxing matches was one of the odd ingredients in his character; apart from the fact that he had played cricket and boxed at school and as a student, I think he enjoyed

those forms of contest because they were so different from the form of contest in the courts.

In one way these glimpses of Morry left me saddened. He was moving steadily onwards in the path he had chosen, but it seemed to me that he was drying up. Each time it became more difficult to get the feeling of being in real touch; it was as if on the succcessive occasions there was less and less to get in touch with. Jess felt the same thing, as she told me once in a confidential talk over the fire. I do not usually discuss one friend with another, whatever the relation between them may be; but Jess loved and admired Morry so greatly that with her there was no suspicion of being treasonable. She said that most of the time he did not know what happened in the house or to those by whom he was surrounded, and if some event forced itself upon his notice, he only came out of his absorption for the moment. For instance, Dan lost his wife, of whom he was very fond, and Morry subsequently forgot it; several times in the course of the next twelve months, when speaking to Jess about making up a dinner or week end party, he said: "We might have Dan and Julia." Now, Morry never ceased to be grateful to Dan, as well as to Joe, for giving him his chance at the bar; and he liked Dan—he had a real affection for him. Yet so little did the things that mattered to Dan touch Morry that even such a calamity as Julia's death was swept out of his mind by the current of his preoccupations.

There were tide-marks of prosperity. Thus, one year, the door in Regent's Park was opened to me

by a butler. He was one of Morry's people, and physically an unusually fine specimen of the race—a broad-shouldered fellow with a deep chest. I had a vague impression that his features were familiar, and thought he must have been in service at some house where I had formerly been in the habit of visiting.

"Haven't I seen you somewhere before?"

"Possibly, sir. Whom shall I say?"

I thought I must be mistaken.

CHAPTER X

The Story of the Chateau Heritage

The doctors patched me up at last so far that I decided to take my chance of dying in London instead of living elsewhere. I returned to England one April and re-installed myself at Clifford's Inn. I had only had one glimpse of Morry, but I had seen Nesta several times, when, a couple of months after my return, I bought an evening paper on a Monday afternoon and read that a burglary had taken place the previous night at Sir Adrian Vochlear's house in Berkeley Square. Securities of considerable value had been removed by the burglars.

Sir Adrian was away; his departure for South America, to inspect rubber properties on the Amazon, had been chronicled some time before. I rang up Nesta.

"What's happened, old thing? I see you've been burgled."

"Yes. Riette is in a dreadful state about it."

"Were you both at home?"

"I wasn't. I was away for the weekend."

"Did Lady V see anything of the burglars?"

"Rather, poor dear. They tied her up."

"Good heavens! What an experience!"

"Yes, awful, wasn't it? They didn't hurt her much, but of course it was a serious shock. And the loss of the securities is a terrible trouble to her."

"Were they worth much?"

"Over a quarter of a million," replied Nesta nonchalantly.

"What? You're pulling my leg."

"No, I'm not."

"You sound wonderfully calm about it, then."

"The house is insured."

"How on earth came Lady V to have such a sum at home?"

"I can't explain that to you, Dick. It had to do with her family affairs. She is trustee for her cousins."

"It seems weird."

"Yes. She's awfully distressed. She takes the view that she is personally responsible. It has upset her completely. However, it will come out all right. The police will probably recover most of the bonds and things, don't you think?"

It seemed to me that it would be difficult for burglars to negotiate share certificates and so forth to the value of anything like a quarter of a million. I said so.

"Yes. However, we shall see. The insurance is all right, anyway."

"Let me know if I can be of assistance."

"Right you are. Good-bye." Nesta hung up.

I knew that Sir Adrian was wealthy, and I had heard, at some time or other, that Lady V was a rich woman on her own account. Still, a quarter of a million! And who keeps securities in a house?

Ten days later Nesta rang me up again with further details.

"Dick, that trouble over the burglary is worse than

I thought. The insurance people are making difficulties. I think you might be able to help. Can you come round?"

I said I could, and went. I found Nesta with Lady V in the latter's boudoir. Lady V was very eau-de-Cologney and very pale: I didn't think the pallor signified much, because she usually made up.

After some preliminaries, which showed me Lady V's concern for her relatives, she said to Nesta: "Tell him about the burglary, *chérie*. I am sick of repeating it."

Nesta explained that Lady V had already been obliged to describe the events of the Sunday night three times to the police, once to the insurance brokers, and again to a man they sent up. She went to bed in the usual way about midnight, it seemed, and was awakened about an hour or two later by something being pressed over her eyes. A hand seized her chin, her mouth was forced open, and a gag inserted. She tried to scream, but could not be sure whether she succeeded or not. She struggled, and someone held her feet. The handkerchief over her eyes was tied round her head, the key of the strong room detached from its chain at her neck, she was rolled in the bedclothes like a mummy and corded up. After an interval she thought she heard the rustling of papers, and after another interval the sound of retreating footsteps. Then, silence. For a long time she tried to wriggle free of her bonds; eventually she fell into a doze, from which she was awakened in the morning by her maid. Released, she at once sent for the police. They came, gave a great deal of

trouble, and did nothing, professing to be wholly at a loss.

After discussing various points in this, and remarking that I should want to see the maid, I said to Lady V:

"I should like to be enlightened as to how you came to have such an immense sum in the house."

"Yes. If you are to help us, you have a right to know everything. Well, I have confided my secret to few. I have never even told my dearest friend." She put out a hand to Nesta, and Nesta took and held it. "But I suppose I must tell you. You must promise, on your word of honour, to respect my confidence."

I promised.

Then Lady V told me the story of the Chateau heritage.

. . . . . .

When François Chateau lay dying in a village in the Western Soudan, civilisation was represented solely by his escort, a French lieutenant and a dozen Hausa soldiers.

He wanted to make a will. He could not write because he had lost the use of his limbs through the disease that had stricken him down. He called the lieutenant.

"Yes, Monsieur Chateau."

"I wish my children to share the income from my estate during their lives. Afterwards the money is to be divided among my grandchildren. You will tell the Governor-General."

"Yes, Monsieur Chateau." The lieutenant said to himself that this could have no legal force; he was the son of a notary, and knew how wills must be made according to French law. If Monsieur Chateau had been a soldier on active service, a verbal expression of his wishes would have sufficed; but Monsieur Chateau, although the wealthiest man in West Africa and a friend of the Governor-General, was a civilian: it was impossible for him to make a valid will.

The lieutenant humored the dying man, however, and took out his notebook.

" 'Will of François Chateau, trader, of Porto Novo,' " he recited as he wrote. " 'I bequeath the income from my estate to'—how many children have you, Monsieur Chateau?"

"Five."

"—'to my five children, one-fifth part to each,' " wrote the lieutenant, conscientiously adopting a legal style. " 'And after the death of the last surviving child the estate is to be distributed among my then surviving grandchildren in equal shares.' Is that correct?"

"Correct."

The lieutenant congratulated himself. At least the family would know exactly what Monsieur Chateau's wishes had been.

The Governor-General of French West Africa, Monsieur Bonamy, was a humane, sensible man. Desiring to put an end to a desultory war with an emir in the interior, who was hindering trade by plundering caravans, he had begged his friend Chateau to undertake the task of bringing the emir to

reason. When the lieutenant returned with the news of the sad termination of the mission, he received, first, the Governor-General's thanks, official and personal; second, a confidential communication which surprised him; third, a short lecture on the advantages likely to ensue to a young officer who could observe the golden rule as to discretion.

The communication was that the Governor-General, in entrusting Chateau with his important mission, had thought well, in view of possible eventualities, to give him temporary rank as captain in the French Army. In order to spare the lieutenant's feelings, it had been arranged that Chateau should keep this fact to himself unless it became necessary to reveal it.

The lieutenant observed the golden rule as to discretion. He said nothing when he was asked to sign a list of Chateau's personal effects as brought back by him. The list had been prepared at the Palace of Government, and mentioned a captain's commission dated before their departure from Porto Novo. The lieutenant had never seen this; but he signed, without a word. Monsieur Bonamy was an autocrat in fact though not in theory, because he was a popular man, a Governor-General heartily supported by the Press, and the public. If Monsieur Bonamy chose to validate Chateau's will by making him into a soldier after he was dead, the lieutenant was not disposed to question it.

The friendship between Monsieur Bonamy and Chateau dated back to the time when Chateau was a newcomer to West Africa. He had not been a poor man then: from the day of his arrival he had dis-

posed of a considerable bank credit. As the official rose in the service, the trader extended his operations until trading stations and mining properties and plantations covered an immense area. Bonamy was an ardent patriot, a firm believer in France's imperial mission. The two had worked together, and respected each other. It had sometimes been remarked at the Palace of Government that Monsieur le Gouverneur-Général displayed towards the trader a singular degree of respect. Colonial governors do not usually make close personal friends of members of the trading community.

True, Monsieur le Chateau was a remarkable man in many ways. In repose, his face was haughty; the rather prominent eyes looked out on the world coldly; but when his attention had been aroused, his manner was singularly pleasant. Also, he was a much better educated man than traders usually are; he spoke French, German, and English so well that any one of the three might have been his native tongue.

Monsieur Bonamy sent the notebook containing François Chateau's wishes to the eldest son, Joseph, at Paris, together with an official certificate that at the time he expressed them he had been a soldier on active service, and an account by the lieutenant of the last scene. After the usual friendly condolences and an expression of his sense of personal loss, Monsieur Bonamy went on:

"Your father told me, at different times, a good deal about his affairs, and I think you will find that the bulk of his property is here. There need be no difficulty as to the realisation of that if you will

permit me to see to it. But as to what there is in France you may meet with difficulties. I should advise you to secure whatever there may be without the usual legal formalities, if possible. I have sent you the record of his wishes, and the certificate which makes it a valid will, as a precautionary measure. Do not use the latter unless you are obliged."

Joseph Chateau was surprised by this, although not so much as might be expected. He had been too young during his mother's lifetime to speculate as to his father's origin and connexions. But, later, he had begun to do so, and on one occasion had endeavoured to elicit some information from his father. François Chateau had not responded, and he was not a man to be questioned against his will. Joseph and the other members of the family had therefore known that there was a mystery.

He called them together: Elizabeth, the eldest sister, who was married; Otto, also married, who was rather weak in character; Rodolphe, a gay bachelor; and Seraphine, likewise unmarried, who had made her home with relatives of their mother's.

They discussed the problem uneasily. They had an idea that their father's property in Africa was considerable, because he had never appeared to be in want of money, and had dealt with them in generous fashion. Each of the three sons had been set up in business, Elizabeth had received a substantial dowry, and Seraphine a liberal allowance. Also, Joseph, having acted as his father's purchasing-agent, knew that there was a bank balance at the Crédit Bourdonnais. They knew of nothing else:

the house their father formerly had in Paris, together with the furniture, had been sold long before.

They decided to constitute themselves, informally, a Family Council, the question of obtaining legal powers to be left over. Meantime they would be bound strictly by the conditions of the will. It was agreed that Joseph should act as administrator. He was deputed to go to the bank and arrange, if possible, that the account should be transferred to his name. Monsieur Bonamy's offer to wind up the estate in Africa was gratefully accepted.

Joseph went to the bank. The manager demurred. He said that another person laid claim to the money.

"Who?"

The bank-manager would not say; he professed not to know.

"How did you learn the fact, then?"

"From the Ministry of the Interior."

Joseph Chateau went to the Ministry of the Interior. After being sent from pillar to post, he succeeded in interviewing the minister. The minister said that his colleague at the Quai d'Orsay had requested him to take the step. The Quai d'Orsay is the Foreign Office.

"But why?"

The Home Secretary, as he would be called in England, shrugged his shoulders.

Joseph Chateau went to the Foreign Office, and again was sent from pillar to post. Again, he eventually arrived in the cabinet of the minister.

The Foreign Minister said that he regretted nothing could be done in the way of lifting the embargo.

Joseph Chateau demanded further explanation.

The minister, with much circumlocution, indicated that a Certain Person, not a citizen of the French Republic, nor resident in France, laid claim to the money.

"Who?"

The minister would not say.

"On what ground is the claim put forward?"

"On the ground that your father was a foreigner, and subject to certain special laws in his own country which made him incapable of willing away his property."

"That is nonsense," exclaimed Joseph Chateau with asperity. "My father was a Frenchman."

"It may be so," responded the minister affably, "but I am told not."

Joseph could get nothing more out of him. He knew when and where his parents had been married, and it occurred to him now, for the first time, that his father must then have given particulars as to his birth. He obtained a copy of the marriage certificate. His father had stated that he was the son of certain persons at Bar-sur-Aube: he had also given his age. In a discreet way Joseph made inquiries at Bar-sur-Aube. The result was startling. There had been a François Chateau, the son of the persons named, but he was not Joseph Chateau's father; he had lived in the town all his life.

At a second meeting of the Family Council it was decided that no further steps should be taken until Monsieur Bonamy had been consulted. Joseph wrote to Monsieur Bonamy. Monsieur Bonamy replied

that he was coming to Europe, and would call on the son of his old friend. Then, perhaps, matters might to some extent be cleared up.

Monsieur Bonamy came. He told Joseph Chateau that, as a good Frenchman, he must let that money in the bank go. There must not be any legal proceedings, because if there were political complications would ensue.

"I had my difficulties too," said Monsieur Bonamy with a smile. "But on my own ground I have my own ways of dealing with those who try to interfere with me. I told the Colonial Office that your father's estate was subject to claims by the colony, and that when they were satisfied there would be little left. There will be very little left, Monsieur Joseph. Take this, and take good care of it."

He opened the portfolio he had brought with him, and took from it a dozen cheques, all for substantial sums, on London; traders' bills, payable in Marseilles and Hamburg; bankers' bills; bonds of the colony, and debenture bonds of French and English companies: the value of the whole being over a quarter of a million pounds.

Joseph Chateau was dumbfounded. He had never dreamed that his father could be so wealthy.

"You and your brothers and sisters will be satisfied with that?" asked Monsieur Bonamy.

Joseph said he had every reason to believe that his brothers and sisters would be satisfied as he was.

"Impress on them the necessity for secrecy," urged Monsieur Bonamy. "If anything connected with the affair is made public, the Person who has put his

finger on the money in the bank might put it on some of these securities."

"But what are we to do with them?" exclaimed the perplexed Joseph. "If I pay these into a bank"—he indicated the cheques and bills—"or put these in a safe deposit"—he pointed to the permanent securities —"that may happen just the same."

"Send the cheques and bills to New York," replied Monsieur Bonamy. "Let an American bank collect the money and buy bonds with it. Have them sent to you, and keep them yourself, along with these I have brought you."

Joseph objected that the Finger might reach to New York.

Monsieur Bonamy replied that the Americans *s'en fiched*—which is French for not caring a damn —about mysterious personages and underground diplomatic manœuvres: "like me," added good Monsieur Bonamy.

Joseph reflected. "I must not ask you who the mysterious person is?"

"I could not tell you with certainty, although I might make a near guess," replied Monsieur Bonamy.

"Nor who my father was? You know, I presume?"

"Yes, I know, but I must not tell you," replied Monsieur Bonamy. "Perhaps you can guess for yourself, Joseph, son of Francis and brother to Otto and Rodolphe."

Joseph turned pale.

"Better not guess," concluded Bonamy, laying a paternal hand on the shoulder of the perturbed man. "Guessing is a bad habit. Let well alone."

The Family Council passed a unanimous vote of thanks to Monsieur Bonamy, and agreed that his advice should be followed. Joseph sent the cheques and bills to New York, directing the American bank to realise them and purchase bonds to bearer; these, when received, he placed with those brought by Bonamy in a safe in his bedroom. He collected the interest, as it fell due, through the bank, and, year by year, called a meeting of the Family Council, presented his statement of accounts, and divided the income in accordance with the will.

Matters went on in this way until Mariette, Joseph's elder daughter, came of age, and therefore entitled to a seat and voice in future Family Councils. About this time, Seraphine, the youngest of François Chateau's children, became seriously ill; she was consequently unable to attend the first meeting at which the younger generation had a representative.

The elders had seen no difficulty in regard to the provisions of the will. They had enjoyed the large addition to their incomes, and therewith they were content.

"What is to happen if Aunt Seraph dies?" inquired Mariette in the pause following on the presentation of the accounts.

The elder generation felt that there was something almost indecent in the query. Joseph, as presiding, and as Mariette's father, reproved her.

"That is not a proper question for you to put, my child."

Mariette apologised. "I should not have mentioned my aunt's name. But, when any one of you

dies? What happens then, as to the distribution of the income?"

Aunt Elizabeth said tartly that she would not put up with having her possible death thrust under her nose by her own niece, but the men looked at each other. No one had thought of that before.

Mariette tried to follow up her advantage. "We think that his or her share of the income should be divided equally among us."

"Who are 'we'?" inquired her father.

"Myself and Lois, and our cousins."

Lois was her sister. They had five cousins—Aunt Elizabeth's three girls, colloquially known as "the Bouchettes," Aunt Elizabeth being Madame Bouchon; and Uncle Otto's son Hamond and his daughter Athalie.

The elder generation was unanimously indignant at the idea that it might be dictated to by the younger. But as to what ought to be done when the inevitable should happen, opinions differed. There was no explicit direction on the point in the will: what was to be inferred from it as to their father's intentions?

Joseph adopted the principle of Mariette's suggestion with a variation in the manner of applying it; he said the income-share of a deceased member of the elder generation ought to descend to his or her children.

Otto, who was notoriously henpecked, wished to amend this in favour of surviving wife or husband for life, and then to the children. Aunt Elizabeth approved.

"Aunt Seraph and Uncle Rodolphe may never

marry," observed Mariette, "and if they do, they may not have children. Whatever rule is made, it should apply all round."

"Quite so," said Rodolphe approvingly. "The right course is that when one of us passes away, the income shall continue to be divided among the survivors."

"So that eventually one of you would have it all. How do you justify that under the will? It says you are to have one-fifth each."

This was undeniable. Rodolphe was nettled. He reflected.

"Then the correct answer must be that the income share lapses."

"You mean, that when one of you dies the share should be added every year to the principal?"

"That is what I mean."

"What would be the sense of that? It would eventually come to us in a lump along with the rest. We might just as well have it meantime."

Mariette was wrong there, as she afterwards saw. Rodolphe's second suggestion would benefit the surviving members of the elder generation as their number diminished, because the value of the estate would be increased annually by the share of those deceased, and the dividends would consequently become larger. Rodolphe had seen this, and the other men saw it too; but they could not well put it forward as an argument, so they decided to leave the question over till the next meeting.

Meantime, it was discussed. In most French households matters of family interest are freely talked

about, and the younger members have the advantage of learning the facts. Mariette's boldness at the meeting, which was much commented on, won the admiration of her sister and cousins. She had constituted herself their champion. Aunt Elizabeth reflected that she had three daughters, and if Mariette's suggestion were adopted they would be safe whatever happened, whereas if it were not, and she herself were the first to pass, they might be old women before they benefited. She signified to her niece that she would support her at the next meeting.

The men, however, had thought of a strong argument for their point of view. It was this: The younger generation did not benefit under the will as a body; only those who outlived the last surviving member of the elder generation were entitled to benefit. This carried the day. It was decided that the share of a deceased elder should lapse, the amount to be added annually to the estate.

Mariette did not find her prestige diminished by defeat. As, one after the other, her cousins and her sister came of age and joined the Family Council, she was their natural leader. Aunt Elizabeth invariably agreed to whatever she said. Her influence was enhanced by her marriage to an English baronet, a wealthy man and a figure in the financial world. This opened up sources of information as to investments of which her father was not slow to avail himself. He consulted her regularly, and eventually she shared in the management of the estate.

Aunt Seraphine survived as an invalid, living in seclusion. Rodolphe married, and had a daughter.

Otto passed away, and Lois, Mariette's sister, died in childbirth. Joseph, as he grew older, left matters more and more to Mariette, who came over from London for the meetings of the Family Council, and virtually dominated it, except that as long as Rodolphe lived it was impossible for her to obtain a reversal of the decision as to the lapsed shares. He became avaricious in his later years, and clung obstinately to the power which the decision conferred on the elder generation of refusing anything to the younger as long as it survived. After his death, Joseph, mellowed by age, was willing that his daughter and nephews and nieces should enjoy thenceforth some portion of the heritage which would ultimately be theirs. Elizabeth offered no objection.

But a fresh difficulty arose. Seraphine had been a party to the original arrangement, being at that time capable of dealing with business matters; since, she had become childish, and when Joseph went to see her as to altering it, she was obviously unable to take in what he said. His rigid sense of honour admitted no modification to her detriment unless she fully understood and agreed to it. Before he died he made Mariette swear that she would never permit anything of the kind.

When he passed away, and of the elder generation Aunt Elizabeth was alone capable of taking over the trusteeship, she repudiated the responsibility in favour of her eldest niece. The younger members of the family unanimously supported the proposal.

Mariette consented, but wished to make a condition. The securities must be lodged in a safe deposit.

The others opposed this. The plan adopted had worked well. Why could not Mariette continue it?

Mariette objected that there was the risk of robbery.

This was pooh-poohed. In Paris, perhaps. Paris was a terrible place to live in. One never knew when one might be robbed. But in London there was nothing to fear. The English were honest.

Mariette could not shake their childlike faith, so she had to give way. She took the securities to London, and had a closet in her bedroom converted into a strong-room. The total value of the bonds was three hundred and twenty thousand pounds, to which sum the estate had grown through the choice of good investments and the increment of the lapsed shares.

Time went on. Aunt Elizabeth died, preceded to the grave by a few months by one of her daughters. Of the elder generation, Aunt Seraphine, the weakling, alone survived, and for a decade her life stood between the six cousins and a fortune which grew every year by four-fifths of the income. In the nine years following Elizabeth's death the value of the heritage increased to half a million sterling. Most of it was invested in America.

Then came disaster. The American financial crisis cost the heirs half of their prospective fortune. The blow was severe to Mariette. She was not to blame; she had merely followed in the footsteps of her father, who had always preferred American investments because there seemed less likelihood of the Finger reaching so far, and in choosing one or another she had taken the advice of the shrewdest financial

experts of the day, including her own husband. Nevertheless, she offered to resign the trusteeship, and was surprised as well as touched when her cousins refused to allow her to do so. There were now only four of them—Hamond, Otto's son, had been killed in a motor accident—and they unanimously exonerated her. A precautionary measure was adopted which ought to have been taken long before; Mariette was authorised to insure the contents of the strong-room.

Aunt Seraphine lingered for another year. When at last her long life came to an end, the sum of two hundred and sixty thousand pounds, represented by securities in the strong-room, became divisible among the five cousins.

Then I understood. The explanation of the extraordinary fact that Lady V had kept a quarter of a million in her bedroom—for she, of course, was the Mariette of her story—was simply that these people were French. The French have a mania for keeping their money in a stocking, lest they should lose it, and sometimes the Nemesis of the ultra-prudent overtakes them. The elder generation of Chateaus, thoroughly frightened by the loss of the bank balance, had adopted a scheme which in England would almost have qualified them all for asylums, but which to French eyes had nothing out of the way about it. Fate, after slumbering for years, had pounced twice, and the fortune accumulated by François Chateau, so vigilantly guarded and augmented by two generations of his heirs, had vanished as though it had never been.

"François Chateau!" I felt a thrill. I had heard several versions of the story that the Austrian Emperor Ferdinand I. had a son the same age as his nephew Francis Joseph, who succeeded him; according to one account, he was morganatically married to the mother; but all agreed that mother and son disappeared from Austria immediately after Francis Joseph ascended the throne, and were never heard of again. Now I knew what had become of the son. There could be no doubt that Lady V was his grandchild, and consequently a descendant of the Hapsburgs. It accounted, I thought, for the extra magnificence of her boredom.

She was not looking bored now. She sat up, smiling faintly, and gave Nesta a gilt key.

"In the drawer in the strong-room, *chérie*. Mercifully, those wretches left me my proofs."

While Nesta was out of the room, Lady V talked in her languid English drawl. She had told her story in French.

"You see my position, don't you, Mr. Youatt? I must pay my cousins, and I cannot keep them waiting. They may have anticipated matters. I know Athalie has. Her husband's extravagance forced her to make an arrangement with her bankers, by which they agreed to advance her so much a year as long as Aunt Seraph lived, on condition that she repaid them, with interest, immediately Aunt Seraph died. Therefore, Athalie *must* have her money at once, or her position will be intolerable. But what am I to do? It is so very awkward that Adrian is away. If he only were here, something might be arranged. I

think it would be impossible to imagine a more unfortunate conjunction of circumstances."

I was disposed to agree with her. "What is the nature of the difficulty with the insurance people?"

"They raise an objection based on the securities being bearer bonds."

"But were all of them bearer bonds?"

"Yes. Father always purchased securities of that kind, because, you see, if you buy inscribed stocks, you have to give your name, and father was afraid, if he did, that the agents of the Certain Person might find out that Joseph Chateau was the holder of investments to an extent which his own means could not account for. I followed in father's footsteps for the same reason. The Certain Person, you know, is still alive."

That was so.

"I will show you."

Nesta had come back with a quantity of papers. Lady V took them, selected a bundle and passed it to me.

They were "Bought Notes" from stockbrokers or bankers, showing that securities had been purchased from time to time over a number of years. Some of them were addressed to Lady V, some to Sir Adrian, and some to Vochlear & Co. All the securities were to bearer—government bonds, railway bonds, municipal bonds. Such securities can be dealt with in ways which make it difficult to trace them.

"Didn't the insurance company know that it was bearer bonds they were insuring?"

"Oh, yes. I told them all about it. Here is my grandfather's will."

She handed me a small notebook, such as a French officer carries on active service. It was open at a certain page, and there, written with an indelible pencil, in the lieutenant's angular St. Cyr handwriting, was the will, duly signed and attested by him.

I examined the book. The paper was slightly yellow, the colour of the binding had run at the edges, and was faded; the thing had a faintly fusty smell, as things do for ever when they have been carried on the person in moist tropic heat.

"Here is his statement."

I glanced it over. The lieutenant had wielded a graphic pen.

"Here is a photograph of my grandfather."

François Chateau had indeed been a remarkable man.

"Here is a photograph of Monsieur Bonamy, one that he had given to my grandfather, and found in his house at Porto Novo after his death. Monsieur Bonamy took it back and brought it home to us."

It was a signed photograph. I had a reasonably good recollection of Monsieur Bonamy's features from the illustrated papers of years ago.

"These are the estate accounts from year to year, all in my father's hand until two years before his death; then I made them out and he signed them. After that they are in my hand and signed by me."

So they were.

"Here are the paid cheques showing that I always acquitted my liability to Aunt Seraph."

There were a dozen or more of them, all crossed, stamped with the names of the banks through whose hands they had passed, and cancelled.

There was a silence.

"Now, Dick," said Nesta, "what do you think can be done?"

"You have communicated with Sir Adrian, of course?"

"We have cabled twice," replied Lady V languidly. "Is it twice or three times?"—to Nesta.

"Three times," said Nesta.

"Is he coming home?"

"We don't know. We hope so, but there has been no news yet. He left Manaos on the thirteenth of last month to go into the forest. I can't think why he left on the thirteenth. He might have waited until the fourteenth, if he could not get away on the twelfth. However, that was the last news we had."

"You don't even know that he has received your cablegrams, then? Awkward."

"Oh, very awkward. Everything is very awkward indeed just now, and everybody is being as awkward as they can, it seems to me—except you *chérie.* You are always a treasure." The last part was addressed to Nesta. "Everybody is making bothers. I don't know——"

Lady V's voice trailed wearily into silence. Then she said, in her most languid tone:

"Take your cousin into your own room, will you, *chérie?* I must rest." She had closed her eyes after ceasing to speak to me, and did not open them to say: "Good-bye, Mr. Youatt. Thank you so much

for coming in. If you think you can help us, tell my dear one what you consider best to be done."

Nesta took me into her sitting-room, and we discussed the position. I asked various questions.

"What do the insurance people say? Why do they refuse to pay?"

"I don't know exactly," replied Nesta. "They want some information which Riette cannot give. Adrian might know. She can't say whether he does or not."

"They don't deny liability?"

"No, I don't understand so. Riette thinks that it is because she was only insured for a quarter of a million, whereas the value of the securities was two hundred and sixty thousand. Do you think that's it?"

I said I could not form an opinion unless I saw the policy and the correspondence. "There have been letters, I suppose?"

"Yes, I believe so, but I can't tell you what was in them."

I said I should want them. "Did the police discover nothing whatever in regard to the burglary?"

"Nothing, except what anyone could see for themselves—how the house was entered. We knew that without their telling us."

We went on discussing the matter, and the longer we discussed it the more blank walls appeared to block the way in all directions. At last, Nesta said:

"Would Morry be any use, do you think?"

I could have kicked myself. "What an ass I am! Of course, he's our man. We are simply a couple of kids playing round with a thing like this, and he's a past-master of the game from A to Z. I'll go to

the Temple at once and see him. Put on your hat and come with me."

"I don't think I ought to leave Riette. You go."

Every minute of Morry's time was booked. He sent out a message asking me to return later and drive down to the House of Commons with him.

I went at six, and waited. He greeted me cheerily as he came out of his room.

"Well, Dick! Have you come like a ghost to revisit the scene of your former triumphs?"

I said I hadn't. We went downstairs. I began to tell him why I had come. He interrupted me as soon as I mentioned Lady V's name.

"Has what you are going to say anything to do with a claim made by Lady Vochlear against certain members of Lloyd's?"

I said I did not know about Lloyd's, but it had to do with the burglary which had taken place at her house, and the consequent loss of certain securities.

"Have you undertaken her interests, Dick? Has she empowered you to see me?"

"No. Cockles rang me up this morning and said they were in trouble. She asked me to go round. I went, and Lady V told me all about it. Then Cockles and I discussed what ought to be done, and she suggested that you might be able to help us."

"I am afraid I could hardly have done that in any case. But, as it is, I must not listen to you at all. I am for the other side."

I was taken aback. "The insurers?"

"Yes."

"Have they consulted you? Have you advised them not to pay?"

Morry was silent.

I reflected that I ought not to have asked that. All my legal experience had been of working with Morry, and to find him against me was bewildering.

I said I thought the position ridiculous. Lady V only wanted that to which she was entitled, and the poor woman and Nesta were puzzled to know what to do. I wished to help them if I could, but I had no desire to do the insurers down. Why couldn't we discuss the matter?

Morry said: "If you were to come to me as a fellow member of the bar, and say that Lady Vochlear was your client, I should feel bound to listen to what you might have to say. But as it is, I must not. You might inadvertently reveal something which would tell against her, in which case it would be my duty to my clients to make use of it should occasion arise. That would be unfair to her, since she has not accredited you her representative."

"Very well. I don't suppose she will make any difficulty about giving me formal authority."

There was a pause.

"Dick, I hope you will not think I have any ulterior motive in saying that in your place I should be chary of undertaking anything for Lady Vochlear."

I retorted with heat: "I can't well refuse to help her when she is Cockles' greatest friend—the person she has made her home with."

"Ah." I thought that Morry was digesting the implied reproof until he amazed me with: "Would

it be possible to get Nesta away, do you think?"

"Get her to leave Lady V?"

"Yes."

"Why should she?"

"I cannot tell you that without entering into discussion, Dick. But she would be saved much unpleasantness, at the least."

His manner made me wonder a little, but, of course, I dismissed his absurd suggestion. I left him in the outer lobby, and went to a telephone box. Nesta said she would talk to Lady V and ring me up later.

She telephoned next morning. Lady V, it appeared, thought the best thing would be for her to see Morry. Could I not arrange a friendly meeting?

I said decisively that Morry could not consent to that. He might agree to a formal meeting: I would ask him. I did so. Morry was not at all willing.

"I do not think it would serve any purpose, Dick."

"Not to get together—clients, solicitors, you and me—and talk it over? I have often heard you say it would be the sensible thing to do in similar cases, instead of fighting in the dark."

"The circumstances were not the same."

I argued that they were, near enough. Morry became absent-minded.

"Very well, as you press it. I will communicate with Haverford, and if he and the client are agreeable, Duncan shall ring you up and make an appointment. Er—there would be no objection to Lady Vochlear being accompanied by Nesta, I think."

—I knew by this that he wished Nesta to be present.

—"But it must be clearly understood, both by Lady Vochlear and whomever is with her, that I am acting for my clients, and not as a friend of anybody's."

He meant that Nesta must understand that.

"Quite so."

Lady V made some difficulty about bringing a solicitor—at least, Nesta did, as her mouthpiece.

"She hates solicitors, Dick. She hasn't one of her own, and she loathes the sight of Adrian's. He's rather a worm."

I said I had a fairly tame one, and he could be formally instructed. "For when shall I try to arrange the appointment?"

"Whenever you like. Riette will come any day, at the time you say."

This seemed to me remarkably accommodating on Lady V's part; she was like royalty in the number and intricacy of her engagements. But I was staggered when Duncan, who even in my time had always wanted at least a week's grace, rang up to tell me we could see Morry that afternoon.

I expressed my surprise, and said I feared we could not be ready.

"Then I could not fix anything without speaking to Mr. Abramson again. This is a special favour to you, sir, of course."

I was flattered. "Very well."

I informed Nesta, warning her that it was necessary for Lady V to see Gaines, the solicitor, with me first. Then I had to dig out Gaines, and explain what the trouble was as we drove to Berkeley Square. I told him all about the burglary, but refrained from

betraying Lady V's confidence as to the history of the securities. I merely said there was a history which accounted for their being kept in the house, but which had no connexion with the difficulty as to the insurance. We had to convince the other side that there had actually been two hundred and sixty thousand pounds worth of securities in the strong-room on the eve of the burglary, and that they had been removed by thieves: it did not matter how they came to be there. Gaines agreed with me.

Lady V received us as soon as we arrived. She gave us the policy and a copy of her claim, which she had sent to the brokers through whom the insurance had been effected, also a letter from the brokers acknowledging it and requesting her to send a list of the securities stolen. This she said she had done, and in reply there had been a letter asking for further information. "I could not understand what they wanted, so I rang up Mr. Roberts, and he said something was stamped on every bond"—Roberts was the broker.—"I told him I did not know anything about that. My husband might."

I asked for the letter.

"We can't find it. You have looked everywhere, haven't you, *chérie?*"

Nesta said she had.

Gaines suggested that Roberts would give us a copy if we sent a messenger for it.

"Oh, don't bother. It is not worth while. Whatever Mr. Roberts says is only what he is told by the underwriters to say. It is a Mr. Feston who will not agree to my being paid. He was the leader on the

insurance. I expect he will be at Mr. Abramson's chambers."

This was not very satisfactory, but the time at our disposal was too short to admit of arguments as to how we should proceed. Gaines and I examined the policy: Feston was the underwriter for the first group, and had taken the largest risk, so it seemed likely that Lady V was right in her conjecture that he would represent the underwriters at the meeting. We also interviewed the maid, who had been out when I was there the previous day; she was French, and in an animated manner gave us an account of the scene in the bedroom on the Monday morning which confirmed Lady V's.

Gaines went back to his office. We met again at the door of Morry's chambers, and went in together. Lady V had not arrived, and Duncan entertained us with conversation while we waited. Haverford, a solicitor whom I knew by sight, came with another man, and Duncan ushered them into Morry's room. When he came back I asked if the client's name were Feston. Duncan said yes, with an air of reserve, and immediately spoke of something else. It was queer to sense a hostile atmosphere where I had always been one of the inner ring. In regard to legal problems I had looked on Morry as a strong tower; now it seemed as though my tower had leaped away from me, were rearing itself, hostile and impregnable, in my path.

Lady V and Nesta arrived, with apologies from the latter for their lateness. Lady V, it appeared, had a nervous headache. She swam languidly into

Morry's room, and greeted him in her high-pitched society voice with outstretched hand.

"This is awfully good of you, Mr. Abramson. I have been in such trouble. Now, as my good friends here assure me, I may look for an end of my troubles."—I, at any rate, had given her no such assurance.—She also greeted Feston, and, to my surprise, by name. Then she sank into the chair nearest Morry and took command of the proceedings.

"You want to know all about this wretched affair, don't you? I don't blame you, Mr. Abramson." She turned her head, or perhaps I ought to say her chin. "I don't blame you either, Mr. Feston. You are both perfectly right." She turned back to Morry. "The circumstances are unusual, and it is no wonder you wish for some explanation of them. I will give it to you. I will tell you everything."

And then, to my annoyance, she embarked on the story of the Chateau heritage. As it had nothing to do with the object of the meeting from a legal point of view, I tried to stop her, but Morry signalled to me to let her go on.

She went on, omitting nothing, and once more I saw in my mind all those people: her grandfather, with his haughty air but courteous desire to please; her father, well-meaning and pompous; Uncle Otto, always taking capsules; Aunt Elizabeth, dignified and stupid; Uncle Rodolphe, debonair and selfish, a rake turning miser; Aunt Seraphine, with her perpetual fancywork and black lace mits; the "Bouchettes," gushing and *hebetées:* each, with his or her peculiarities of manner and speech, Lady V evoked with a

turn of the words, an inflection of the voice. It was not until the end that I noticed the expression on Morry's face. His eyes were downcast, and his expression reminded me of something. I could not recall what it was.

Lady V turned to Nesta. "You have the proofs, *chérie?*"

Nesta produced them from her bag. Lady V offered them gracefully to Morry. "There. See for yourself."

Morry made a deprecatory gesture with his hand, indicating that he did not wish to examine them just then. He looked at me.

I said we made a claim. I understood they were not satisfied about it. On what grounds? We were willing to meet their objections if we could.

Morry said: "When the risk was proposed, a list was furnished which contained the numbers of the bonds to be insured. Is that agreed?"

I looked interrogatively at Lady V.

"I cannot say what the list contained," she replied with a smile. "Sir Adrian prepared it."

"Here it is." Morry handed me a typewritten paper.

Gaines and I examined it. There were numbers against each item. We asked Lady Vochlear if it were the list she had originally given Roberts.

"It may be. I really can't say."

"You place us in a difficulty," remarked Morry. "However, I will continue. One of the conditions of the policy is that if there is any change in the specified risk, the insurers should be advised."

Lady V replied: "I told Mr. Roberts, when I gave him the list, that I wished to dispose of certain securities, and purchase others. I told him why—because I was nervous after losing so much in America, and wanted to be sure the money was safe."

"Yes. But he warned you, that when such changes were made, a new list must be sent, so that Mr. Feston and his co-partners would still know what they were insuring."

"I have no recollection of that."

Morry looked at Feston, and Feston said in a low voice: "Roberts is positive he told you, Lady Vochlear."

Lady V shrugged her shoulders with a helpless smile. "I don't remember it."

"No further list was furnished," Morry went on, "until the twenty-second of April, when you sent this, which forms the basis of claim." He handed me another paper. "The items on this list differ considerably from those of the original one, and there are no numbers whatever."

Gaines and I compared the two lists. It was so.

"But what difference does it make," asked Lady V plaintively, "if I changed some of the bonds for others of equivalent value? For instance, Adrian had Egyptian Three per cent guaranteed by the British Government. I had the Four per cents Unified, which are not guaranteed. He pointed out that his would be better for me, because of the guarantee, so we exchanged, so many of his for so many of mine, according to the market price. Why should that matter to Mr. Feston?"

"Because, if you had lost the Egyptian Unified bonds put down here"—Morry pointed to the item in the original list—"Mr. Feston might have recovered them, as the numbers were given. But the Egyptian Three per cent Guaranteed in this second list he cannot recover, unless you give him the numbers. When Roberts asked you to furnish them, you replied that you could not."

"I explained why, Mr. Abramson," protested Lady V with gentle reproach. "I did not know that the numbers were of importance. I never kept any record of them even when I had half a million pounds worth of bonds in the strong-room. Why should I?"

"Because it is only by advertising the numbers that there is any chance of recovering such securities if stolen." Morry was sticking to his point.

Lady V looked uncomprehending and dissatisfied. "Of course I would help you if I could," she murmured, "but really I don't see what that has to do with my being insured."

"Let me see if I can find a way for you to help us. As I understand, you say that from time to time you sold part of the securities which were in the strong-room when you took out the policy, and substituted others."

"Yes—of an equivalent value. I was most careful when I sold a lot to see that the full amount was covered by the new purchase."

"Did you keep a record of such transactions?"

"No. It seemed unnecessary to do so, when my aunt was expected to pass at any time, and then my responsibility would terminate."

"Just look at the third item on the second list, will you?"

"Turkish Four per cents?"

"Yes. There are no Turkish bonds in the first list, I think. Therefore, those must have been purchased within the last twelve months."

"Yes."

"From whom?"

"I could not say. Sir Adrian attended to all details for me latterly."

"Could you not find out from Vochlear & Co.?"

"They don't know. Sir Adrian attended to my matters himself. I asked Mr. Martens, his partner, and he says they have no record of Sir Adrian's private transactions."

"Let me try another way. Look at the second list again. A little way down you will see '100 P.L.M. 4½%.' The third item in the first list is '150 P.L.M. 4½%.' Can you tell me whether the hundred are a remainder of the hundred and fifty, or a fresh lot?"

Lady V reflected. "I am not sure. I think Adrian sold the original lot of P.L.M. in a block. I seem to remember something about it."

Morry looked at her for a few seconds in silence. "You give us no help at all."

"Of course I would if I could, Mr. Abramson, but if I don't know, I can't, can I? All the same, I have lost my bonds—all these bonds on this list." She held up the second one. "You may be quite sure of that. This is an exact copy of the list I sent to each of my cousins as soon as Aunt Seraph died. I asked them to settle amongst themselves which they would

have, and I checked the list most carefully against the bundles in the safe. I always tied each lot up separately as soon as I received it and put a piece of paper on top to show what it was. Mr. Feston has seen."—Feston nodded uncomfortably.—"So there cannot be any mistake," concluded Lady V.

Morry joined the tips of his fingers. "It comes to this. Mr. Feston and his co-partners insured securities of which some at least would have been recoverable had they been stolen. You claim that he must pay you because securities, none of which are recoverable, have been stolen. Had you proposed for insurance a quantity of bearer bonds, numbers unspecified, neither Mr. Feston nor his co-partners would have undertaken the risk. Yet that is what you have transformed it into. I cannot advise that the claim should be admitted."

I had been waiting for an opportunity to ask for something, and in the pause that followed found my chance. "When Lady Vochlear sent this second list to Roberts, she had a letter in reply which has been mislaid. Have you a copy of it?"

Morry handed it to me. It was very short. "Dear Madam—Your favour of the twenty-second instant to hand with enclosures. Please furnish numbers of bonds listed and oblige."

I felt thoroughly vexed with her. She had told me that she could not understand the letter; it was clear that she had understood it, as she could hardly fail to do. Before I could find suitable words in which to suggest that as facts new to Gaines and myself had emerged, we would like to talk them over with our

client before going on, Lady V said in a meditative tone:

"I think I see now what you mean, Mr. Abramson. You mean, that if I had not changed any of the securities, Mr. Feston would quite possibly have recovered some of them after he had paid me, and then he could have sold them and made up part of his loss. But he could do that now, if the police find the thieves. They are sure to have hidden the securities in a cupboard, or up the chimney, or somewhere."

Morry shook his head. "I differ from you, Lady Vochlear. My view is that it is in the highest degree improbable that any of the securities will be traced."

"Because I did not keep a record of the numbers?"

Morry made a movement of his head that might have meant anything.

"Well, perhaps I have been remiss. I may have relied too much on Sir Adrian; he always relieved me of my burden as much as he could. However, as you think I am partly in fault, will it satisfy you if I agree to bear part of the loss? You see, I have to think of my cousins. I cannot put them off when they have waited so long. They have had such confidence in me. . . . I could not face them . . ."

She broke down. Nesta comforted her, and held her hand while she went on to tell Morry what a painful position Athalie, and for all she herself knew, the others, might be in if the money were not paid immediately. It was a distressing scene, and my vexation temporarily evaporated. After all, women have their own ways of dealing with business matters, as every man must recognise.

"I owe them fifty-two thousand pounds each—two hundred and eight thousand altogether. Mr. Feston"—she turned to him with a pleading smile—"will you pay me a hundred and fifty thousand? Sir Adrian and I could make up the rest between us."

I saw Morry shake his head quickly at Feston. Feston saw it too, and replied without looking at Lady V:

"I will agree to whatever Abramson agrees to."

She turned to Morry with a recovery of her former manner. "Now, Mr. Abramson. What do you say?"

There was no relaxation in Morry's gravity. "As Mr. Feston has so much faith in my judgment, I will venture to make a counter-offer. You told us, I think, that the continuance of a trust depended on the life of a relative who died recently?"

"Yes, my Aunt Seraphine."

"An unmarried lady, I think you said?"

Lady V assented.

"Very well. Furnish me with a certificate of her death, and you shall be paid in full."

I was so much surprised by this complete reversal of his attitude that some seconds elapsed before I could gasp out—"Done." He was not looking at me; his eyes were fixed on Lady V. He replied by a barely perceptible gesture which drew my attention to her.

She was staring back at him, and it seemed to me that under her exquisite artificial complexion she had paled.

"Why do you ask for that?" All the graciousness had disappeared from her tone and manner.

"I am a lawyer," replied Morry deliberately, "and it is my duty, before I advise clients to accept statements made to them, to require confirmation by reference to external facts. I ask you for one such fact. Prove to me that this lady ever lived, and I shall be satisfied."

I could hardly believe my ears. I said emphatically: "We accept that."

But I had reckoned without my client. She rose as I spoke, and looked at Morry with the expression of a Medusa.

"No," she said in a tone of the deepest anger. "No. My family secrets must be respected. Because I have told you as much as you are entitled to know, it does not follow that I have told you all. Other persons are involved whom it is my duty to protect."

This was more than I could stand. I looked at Gaines. His expression was almost comic.

"Lady Vochlear," I said, choosing my words as well as I could, "you need have no fear that any improper use will be made of the document which Abramson wants. I am sure he will give us a guarantee to that effect——"

I glanced at Morry. He nodded contemptuously.

"——and from my knowledge of him I can assure you that it may be relied on. If you will tell me when and where Mademoiselle Seraphine Chateau died, I will pledge myself to obtain a copy of the *acte de décès*, show it to Abramson, and hand it to you without anyone else seeing it. That would suffice for him."

I looked at Morry for confirmation, but he was

watching Lady V. Nor did she take any notice of me. She merely said over her shoulder to Nesta:

"Come, *chérie*. There is nothing to be done with these men. They are against us," and moved to the door.

I thought her the most perverse person I had ever come across. Gaines and I had to follow; the meeting was over. As soon as we were outside the door I whispered to him:

"Her attitude makes it impossible for us to do anything. Don't you think so?"

He nodded with a queer smile, and I tackled our client as we emerged into King's Bench Walk. I told her that her attitude was not reasonable. It was doubtful whether the insurers were liable unless she furnished full particulars of the lost securities, and under the circumstances they were entitled to ask instead for confirmatory evidence of her statement as to the circumstances leading up to the loss. Their offer was really an extraordinarily generous one.

She replied: "I have no more to say, Mr. Youatt. Nothing would induce me to allow the affairs of my family to be pried into."

Heedless of Nesta's angry eyes, I retorted: "Then it would be useless for me to attempt to advise you further, and I think Mr. Gaines feels the same."

"Very well." Lady V bowed coldly, and walked away.

I said something fatuous to Nesta about ringing her up later, and Nesta cocked her nose at me disdainfully as she swept off after Lady V. I apologised to Gaines for having dragged him into so unsatis-

factory an affair, and expressed my inability to comprehend the reason for Lady V's actions. He looked at me oddly as he said that no apology was necessary; he added that Abramson was a very clever fellow, and had evidently sized our client up, or he would not have risked making the offer he did.

I had intended to see Morry later and apologise to him too; I felt that I owed him an apology for wasting his time; but Gaines' remark gave me the uncomfortable feeling that he knew something about the affair that Morry also knew, but which I did not. I left him, and went straight back.

Feston and his solicitor were still in Morry's room. I waited twenty minutes for them to come out, and this gave me time for the reflection that I had mismanaged the case. I ought to have insisted on seeing all the correspondence with the broker before meeting the other side; I should then have known the real nature of the difficulty, and it would have been my duty to advise that we must wait until we were in touch with Sir Adrian before proceeding, our subsequent course to be governed by the information he could give. I went over all the circumstances, and it dawned upon me that Lady V must have prevaricated purposefully; she had guessed that if she let me know exactly how the matter stood, I should refuse to arrange for an interview which she desired, and could not secure without my intervention, until every possibility of tracing the numbers of the bonds had been exhausted.

Haverford and Feston came out. I went in at once, not intending to stay longer than a couple of minutes.

"I won't keep you. I only want to say how sorry I am your time has been wasted over such an idiotic business. What possesses the woman I can't think."

Morry regarded me pensively. "She is no longer your client—she has thrown you over?"

I said it was the other way about.

"Ah. But you have done with her?"

"Absolutely."

"Then I may ask a question which I very much wanted to ask you when you first came to me. Dick—do you believe her?"

"About the value of the securities? Yes, I do. It is not satisfactorily established from your point of view, of course. In your place I should have taken the standpoint you did, except that I should never have made such a lunatic offer. What was behind it, Morry? Did you guess that she would peacock up and refuse?"

Morry gazed at me. He said slowly: "Shall I tell you the exact value of the securities in the strong-room on the night of May nineteenth, when Lady Vochlear went to bed?"

"I wish you would."

"Nothing. There was never anything of value in the strong-room except a few genuine bonds to salt the bundles of dummies when the interior was exhibited to dupes like Feston."

I was incredulous and angry. "You are making Lady V out to be an adventuress."

"That is what she is—a fraudulent adventuress."

"It is impossible to suppose such a thing, in view of her husband's financial position."

"Whatever Sir Adrian's position may have been at one time, Vochlear's to-day is an empty nut: it is known in the city that they cannot finance anything —so Feston has just been telling me."

"Even supposing that to be so, it does not affect Lady V's credibility."

"Her story is a fabrication on the face of it."

As Morry spoke the expression I had noticed while Lady V was relating her history recurred, and into my mind flashed the picture of our tea-table at Mirfield when I put the catch to him about Mary and the portrait. "I should say she was not speaking the truth." He had the same look on his face then.

"How can you say that?" I demanded, as a pang of doubt shot through me.

"It does not hinge anywhere on to an exterior fact."

"That is absurd. It hinges on to any number of well-known facts."

"Give me one."

I reflected. It was not certain that Ferdinand I. ever did have an illegitimate or monganatic son. Bonamy was a real person, but there was no proof that François Chateau ever existed. All the other Chateaus had passed beyond human ken years ago, according to Lady V, except Aunt Seraphine, and——

Slowly that story crumbled away as a narrative of fact, and assumed its proper rank as a flight of the imagination. "Mary was a liar." That was all there was to be said.

"It astonishes me that you didn't see it, Dick. You are generally so keen in detecting the difference be-

tween fiction and fact. The story imposed on Feston, as it probably has on others; but I should not have thought you would have been taken in by it." Morry spoke almost pityingly.

A thought struck me. "Had Feston heard it before this afternoon, then?"

"Of course he had. Lady Vochlear told him a year ago, before she opened negotiations for an insurance policy. That was when she showed him the interior of the strong-room."

"But didn't he assure himself that it was full of real bonds?"

Morry almost smiled. "I impute nothing against Lady Vochlear's virtue," he said with his half-twinkle. "I believe, on the contrary, that she always conducted herself with propriety. But she took Feston into her bedroom after a very good dinner and a *tête-à-tête* over coffee and liqueurs, in the course of which he heard that marvellous story, and—but you can probably fill in the picture from experience, Dick."

I knew now why his tone was commiserating. He thought I had been Delilahed. Evidently he could not conceive my being such a fool as to believe that yarn in my right senses. Probably I had used the same sort of pitying looks and tones to him, when he was the juggins over Isola. I suddenly became aware that he was saying:

"You must think of Nesta. She must be detached from the Vochlear household before the crash comes. It cannot long be delayed. Sir Adrian probably saw that, and bolted. Lady Vochlear apparently intends

to keep up the game to the last, and Nesta might be implicated. I have done what I could to open her eyes this afternoon. You are the only person, as far as I know, who can induce her to break the association."

So the meeting which I had flattered myself on securing had been agreed to for Nesta's sake! It was a final douche of cold water. I drew my scattered wits together. Morry was right. Lady V and her story did not really matter to me: the important thing was Nesta's danger. He gave me some further details, and then I went to Berkeley Square. Instinct told me that in the forthcoming battle it would be wise not to quote him.

I was ushered into the drawing-room. After a few minutes the servant came back and said that Mrs. Mack was engaged.

I said that it was very important that I should see her that evening. When would she receive me?

Nesta came in.

"If it is about Riette's affairs you want to see me, I won't talk to you. I am sorry you were ever brought into them."

"It is about yourself."

"What about me?"

"I can't talk to you if you are going to prance about. Sit down and listen properly."

"I haven't time," snapped Nesta. But she sat down.

"Cockles dear——you know that I should be sorry if anything happened to hurt you?"

"You hurt me this afternoon."

"I mean something much worse than that. I am afraid of it."

"What are you afraid of?"

"Of your being used to bamboozle other people as you were to bamboozle me."

This brought the storm, as I knew it would.

"You have no right to say that——"

"I have every right——"

"You are simply echoing Morry——"

"Morry doesn't know anything about it."

"What do you mean, then? How have I helped to deceive you—if you have been deceived?"

"Over that letter. It was because *you* said you had looked for it, and could not find it, that I didn't insist on seeing it before we went to the Temple."

"What did it matter whether you saw it before or not? You saw it there."

"I should never have consented to go on to the meeting if I had seen it first; that was why I was not allowed to see it."

Nesta said scornfully: "You think Riette kept it back on purpose?"

"You heard her tell Gaines and me that she could not understand what it meant. When Morry alluded to it she showed instantly that she had understood it."

"How do you make that out?"

"She said that she had explained to Roberts how it was she could not furnish the numbers of the bonds. That disposes of her previous statement."

Nesta said "Stuff" very angrily, and glared. Then her eyes dropped, and she was silent for a time.

"Morry distrusts Riette entirely, doesn't he?"

"We needn't consider his opinion at this time."

"I thought this afternoon that he had made up his mind beforehand."

"He is bound to take the facts into consideration—that is, the facts as they are presented to him."

"I suppose that is so," admitted Nesta, and I was foolish enough to think she was being reasonable. "But what are the facts, Dick? I mean what are the facts on which Morry has formed his opinion?"

I fell into the trap. "The police don't believe there was a burglary, Cockles dear. And Feston has discovered that at least one lot of securities scheduled when the policy was taken out had been sold years before."

"How did you find out, Dick? Did Morry tell you?"

"Yes," said I rashly. "I went back after you left the Temple."

Then I got mine.

"I knew it!" exclaimed Nesta, dropping the mask. "You let Morry talk you over. You were half-talked over this afternoon. Everything was right that he said, and whatever he wanted Riette to do must be done. You were not a bit of good. You never stood up to him at all."

I protested that I had not been given the chance. Lady V had conducted the proceedings on our side.

"It is no use to make excuses. You let Morry talk you over. I was afraid you would. He's your Pope —you think whatever he says must be right."

I kept my temper. "He was perfectly fair, Cockles. He only wanted to protect his clients, and what they

asked for is usual in such cases. If Lady V had been frank with me, and shown me Roberts' letter, I should have told her we must meet it. The interview was a mistake."

"Bah!" said Nesta. "You keep on about that letter, making a mountain out of a molehill, but you never even saw the molehill until you had trotted back to Morry. Then he sent you here, and you make an excuse of it to bully me."

The insight of women is acute, but, fortunately, not infallible.

"That isn't so. I saw it before I went back."

"I don't believe you. I am sure Morry put it into your head that you had been bamboozled, as you call it."

"He did not. He never mentioned it, nor did I. I'm not a liar, Nesta. You know that." She had succeeded in making me lose my temper a little; that was why I called her Nesta.

It caused her to modify her tone. "I didn't mean that, Dick. But do you really say that Morry didn't suggest the idea to you somehow because of what you said when you asked for the copy?"

"It was never alluded to in any way between us."

She was silent for a time, and I thought I had made an impression. Then she said: "Well, let's get back to what brought you here. What are you afraid of? Of my being mixed up with Riette's business affairs?"

"Yes. I am afraid that you may be led, unknowingly, into taking part in something that isn't honourable."

"Riette is incapable of the smallest dishonourable

action. I am her closest friend, although she has heaps of others. Adrian is away. Of course I shall help her if I can, and in whatever way she wants."

"I can't allow you to do that."

Nesta blazed. "Allow! Who are you to talk of allowing me to do this or that? If anyone had the right to talk to me in that way, it would be my husband. You have no right at all."

I said: "I have to act as the head of the family, Tom being what he is. I forbid you to disgrace it by mixing yourself up with Lady V's manœuvres. She is liable to be prosecuted. Do you expect me to say nothing when your mistaken belief in her may land you in the dock?"

Nesta stared at me in amazement. I suppose I was red, and appeared to be angry. Actually I was feeling a silly ass, and nearly spoilt the effect by stammering. I finished off my diatribe with:

"Whatever some of us may have done, we have avoided public dishonour. The name has not been disgraced in eleven hundred years. Let's keep it clean."

That finished Nesta off. We were both absurdly mediæval. It was on quite a different tone, and with a subdued manner, that she said:

"Riette is really incapable of anything dishonourable, Dick. But I admit that I don't think she quite knows what she is doing. She is most frightfully worried. It isn't altogether business——" A pause, and then: "However, as you put it that way, I will keep out of the business affairs for the future. Will that satisfy you?"

"Couldn't you go to Markhamsted for a while? Aunt Betsey would be glad to have you."

"What, and leave Riette while she is in such trouble? Is it likely?"

I knew that it was very unlikely, but I urged the advisability of it with all the eloquence of which I was capable. Nesta listened patiently, but finally silenced me with:

"It would be disloyal, and you know it, Dick. Riette has been the best friend I ever made for myself, and nothing would induce me to desert her. I will tell you something, if you promise not to repeat it to Morry. Then you will see that it is impossible for me to do as you suggest."

I gave the required promise. After a little hesitation, Nesta said in a low voice:

"I am not easy about Adrian. I'm not sure that he means to come back."

I said nothing.

"You know the terms they were on, don't you?"

"They always seemed fond of each other."

"Yes. But before Adrian went away there was a quarrel. I don't know what it was about—Riette never said anything—but I am pretty sure Adrian blamed her for something, and that when he went away he meant to stay away. She has put the best face she could on it, but I don't believe she really expected to get any answer to those telegrams we sent to Manaos."

I thought it was much more likely Sir Adrian had left his partner to put the insurance swindle through alone, meaning to come back if she succeeded; but

I kept this to myself. Nesta's eyes were brimmed with tears.

"She loved him more than he loved her, Dick. She loves him now, and wants him back. So I can't leave her. But really you needn't be afraid of my being drawn into her business difficulties. She has always kept her affairs to herself. She never asked me to ring you up. It was my own suggestion. I told her you had offered, when you first heard about the burglary, to help us if we needed help, and pressed her to allow me to ask you to come round. She was not very willing."

I had to be content. Whether Nesta any longer believed in the story of the Chateau heritage, and the burglary, I could not be sure; I was inclined to think that she did not really believe, and if so, the danger of her being entangled in Lady V's dishonesties was the less. What disquieted me more than the risk she ran was the bitter tone in which she referred to Morry; if he had succeeded in his attempt to open her eyes, it was at the cost of her liking for him.

A week later, Morry telephoned and asked if I could come down to the House that evening and walk home with him. He explained that he wished to talk to me, and that was the only opportunity he could make.

I went at nine. He procured me admission to the Speaker's Gallery, and for a couple of hours I listened to the creak-creak of the legislative machine. When the House rose, I went to the outer lobby and waited. Just as Morry was about to join me an

M.P. whom I knew by sight buttonholed him. They went into the corridor that leads to the House of Lords, which was empty, and for some ten minutes held conversation.

As we emerged from Palace Yard, Morry asked whether I had succeeded in persuading Nesta to leave Berkeley Square.

I told him of the pledge she had given. "Cockles is the most loyal soul alive. She will stand by Lady V to the last."

We walked the entire length of Great George Street in silence, and had entered St. James's Park when Morry said:

"Lady Vochlear may be arrested any day."

I was startled. I had told Nesta that Lady V was liable to criminal proceedings, believing it unlikely that there would be any. I asked:

"Is Feston going to prosecute?"

"No. The position is that Lady Vochlear has been borrowing money for years past on the strength of her story. Repayment has been deferred on the plea of the continued existence of the imaginary relative—what was the name Lady Vochlear invented for her?"

"Aunt Seraphine."

"Yes. She kept Aunt Seraphine alive as long as she could, staving off her creditors by pretending that it was only a question of a year or so, or a month or so, or a week or so. Aunt Seraphine had been very infirm, I may tell you, for a long time, and had alarming crises of health which recurrently kindled in the breasts of the creditors the belief that she was about to pop off."

"Do you know how many creditors there are?"

"I know of five. There are almost certainly more, perhaps many more."

"Go on."

"Eventually, Lady Vochlear had to face the fact that she could not keep Aunt Seraphine alive for ever. What was to be done when she had to be killed off? Hence the insurance scheme. I may tell you that the version of the story we heard was invented for Feston's benefit. According to the classic version, on the strength of which the borrowing was done, the imaginary hoard amounted to a million and three-quarters, and Lady Vochlear and her sister were the sole heirs. As it was obviously impossible to obtain an insurance policy for such an immense sum, the value of the hoard had to be reduced; I imagine that it was fixed at a quarter of a million because that was the maximum for which Lady Vochlear could insure, or could raise the necessary premium. The increase in the number of heirs was no doubt for the purpose of working on Feston's sympathies, if it came to a pinch, by performing antics as a heart-wrung trustee. She did that rather well, I thought."

I thought so, too.

"After the insurance policy had been obtained, it was still advisable to defer the sham burglary as long as possible so as to lull suspicion. Lady Vochlear managed to carry on for nearly a year, but she was driven to an almost incredible degree of audacity in her lying to do it, and the creditors became suspicious. They began to talk about it, and eventu-

ally two of them came into touch with one another.

The burglary destroyed whatever remnant of faith they had, and when Lady Vochlear protested that the securities were insured and the money would be forthcoming, they insisted on seeing the policy and making their own inquiries. That brought them into contact with Feston. He sent them to Haverford, and Haverford told them that Lady Vochlear, when challenged by me, had refused to produce any evidence that her story was true, although I had arranged my test in such a manner that it would have been worth two hundred and fifty thousand pounds to her to produce even one scrap of evidence.

"That burst the bubble. Haverford presented an ultimatum to Lady Vochlear, and as she could not comply with it, he has communicated the facts to the Public Prosecutor. I told him that was the proper course."

I reflected. After a while Morry said in a humorous way:

"You saw that fellow who spoke to me just as I found you?"

"Balstrom? He sits for High Tors, doesn't he?"

"Yes. He's the fifth creditor, Dick. He only came on the scene to-night. He had heard rumours in the city: my name was mentioned. He wanted to know whether there was any way in which he could keep out of it—plead privilege as a member of Parliament, or some such nonsense. I told him he must do his duty as a citizen, if he were called upon."

I asked whether it would be proper for me to warn Nesta.

"I see no reason why you should not. I have told you nothing confidential, except about Balstrom. You must not, of course, suggest that Lady Vochlear should seek to evade justice. The proper suggestion to make is, I think, that she should place herself in the hands of legal advisers. They would probably communicate with the authorities, and if there is any explanation of her conduct inconsistent with the theory of deliberate fraud, it would be for them to offer it."

When I called in Berkeley Square the next morning, the butler informed me that her ladyship and Mrs. Mack had departed a couple of hours before for the country. I asked for their address He replied that her ladyship had not given an address, as she did not wish to be troubled with letters.

Two days later, Lady V was arrested in the Isle of Wight, where she and Nesta were staying in private rooms.

Those who succeeded in securing admission to the court deemed themselves highly privileged, and behaved as privileged persons are apt to do. The judge, even more famous for his wit than for his culture and learning, could not resist the temptation afforded by the circumstances. A procession of witnesses entered the box: there was a banker, a financier, a commercial magnate, a stockbroker, an owner of famous race horses—all well known socially. One after another told almost exactly the same tale. Lady V had begun by a confidential communication: she was trustee for her family, and wished for advice as to an investment for "part of the surplus income"; a sum in five figures was usually mentioned. The purchase

recommended was made either through the destined victim himself or in such a way that he knew it had been made, so as to fix in his mind the belief that a trust fund of considerable size existed. (The investment was invariably sold or hypothecated soon after.) The history of the imaginary trust was next revealed, under circumstances similar to those sketched by Morry in the case of Feston, and the dupe was shown the interior of the strong-room. The ground thus prepared, Lady V would confess laughingly to personal embarrassment due to extravagance, remarking that she could not pledge her future share of the bonds because of the peculiar nature of the trust. After that she did not need to ask for a loan in the majority of cases; it was proffered, and accepted with seeming reluctance, to be repaid with interest "when Aunt Seraphine died." As counsel for the prosecution, in his opening speech, had made it clear that Aunt Seraphine never existed, the mention of her name subsequently evoked a titter. No doubt, it was difficult to retain one's gravity.

The famous proofs, which had imposed on every one of these highly-capable men, were another source of amusement. They had all been fabricated in simple ways. For instance, the police had found in Lady V's desk several sets of rubber types such as can be purchased anywhere for a few shillings. The cheques which seemed to prove that Lady V had annually paid Aunt Seraphine sums running into thousands of pounds, had simply been written out, stamped with the names of banks, endorsed with imitations of bank-managers' signatures, and creased

and soiled a little. They looked exactly as though they had been passed through the banks, paid, and returned to Lady V according to the custom of London bankers; whereas in fact they had never been out of her hands.

There was also much laughter over the evidence of the French maid, who had turned traitor. She related how she had tied Lady V up in the night—"a little tight, because she wished there should be marks, but not very tight, because she would not be hurt"—and was reproached in the morning because "the knots were in such places as she could not sleep conformably."

"What was the last word?" inquired the judge.

"I think the witness meant 'comfortably,'" suggested counsel.

The witness agreed. "She said I had so placed the knots that she could not lie anyway."

The judge raised his eyebrows and murmured: "Really?" The court was convulsed.

Had I been a disinterested member of the audience, I daresay I should have laughed with the rest. But Lady V's final attempt at trickery had brought about what was to me a tragedy. Nesta sat as near the dock as she could, heartening the prisoner from time to time with smiles and other surreptitious signs of encouragement; Morry, who held a watching brief for the underwriters, sat a few feet away, and she would not recognise him. They came out of court side by side on one occasion, and Nesta never turned her head.

It was a tragedy because O'Donovan Mack had

obtained a decree of divorce from an American court, and had married another woman. The English courts do not recognise such decrees, but the remarriage was sufficient to enable Nesta to obtain her freedom; and I believed that if it had not been for this wretched new misunderstanding, she and Morry would have come together. I felt sure that the old one had been cleared up, that Nesta had long ago forgiven Morry for his temporary aberration over Isola. The new misunderstanding was all on one side: I intended, when the trial was over, to try and make Nesta see that Morry had only done his duty, and that it ought to count in his favour if he had not flinched from the unpleasant task of trying to save her from the danger in which she had stood; but I had little hope of success. This gave a sombre complexion to my thoughts.

In the course of the trial it came out that Lady V had been on the stage in Paris when Sir Adrian first met her, and that her fiction—she was the daughter of parents in a modest way of life—had been invented to give herself importance; it was originally a mere publicity stunt. What is the difference between that kind of thing and such flights of fancy as writers of imaginative works indulge themselves in and profit by? Little more, it seemed to me, than the method of promulgation. As Lady V was led from the dock after sentence had been pronounced, I recalled the story of the divine who watched a highwayman pass on the way to Tyburn, and said to myself: "There, but for the grace of God, goes Richard Youatt."

Since Lady V's arrest, Nesta had been staying with Mrs. Mountjoy. After the trial she went to Markhamsted. I waited for a week to give her time to recover her mental balance, and then went down. I took her for a walk in the park, and pleaded for Morry. I think I may say without being vain that if I could have pleaded as well in court, I should have been nearly as great an advocate as he.

Nesta was inexorable. "I will never have anything more to do with Morry. Don't ask me to meet him. I shall walk off if you do."

My radiant spun-glass dream for these two was shattered again.

CHAPTER XI

Transplanted

After several months rest at Markhamsted, Nesta went as a companion to her friend Patricia Riordan, the daughter of Sir Dominic Scaferlati. She did not need to do so; Aunt Betsey would have been glad to have her stay on indefinitely. But there was nothing for Nesta to do at Markhamsted; Aunt Betsey did not need her, whereas Mrs. Riordan was a widow, her health was not good, and she had a daughter of fifteen who gave her some anxiety. They lived with Sir Dominic, who had been many years a widower, at his beautiful house, Borlington Towers, near Redminster.

There was nothing foreign about Sir Dominic except his name. His grandfather was an Italian *savant* who settled in England; his father an engineer of genius who founded the great works near Birmingham. Sir Dominic had built up the business and added works at Milan. He had taken in two of his nephews, Leonard and Ernest Althrop, as partners, the actual management being by this time in their hands; Sir Dominic devoted himself chiefly to his hobby, the correcting of erroneous ascriptions of Italian pictures of the sixteenth century. This usually took the form of pointing out that the work was by an inferior hand to that claimed for it, which did not tend to make him popular with picture dealers. He was also, in the country of his ancestors, a favourite target for the tirade of Socialists.

I spent a week-end at the Towers soon after Nesta joined the family, and found them pleasant people. Sir Dominic was a courtly old gentleman, still active despite his seventy-odd years and slight physique; he was small and slight, and had been lame from childhood, always using a stick. I met Leonard Althrop, who managed the English business, a fine type of the employer-class with a sense of what was due to others less fortunately placed. There was a young Scaferlati in the business, a grand-nephew of Sir Dominic's; but he was not at the Towers on that occasion.

Nesta's special charge, Elena Riordan, interested me as a psychological study. Sir Dominic's mother had been Irish, and his wife an Irish woman; the Riordans are an old Connaught family; Elena was therefore pure Italian-Irish. It is not a common strain, and this particular embodiment of it seemed at first an attractive young person, although she gave no promise of good looks. We made friends on the Saturday morning, and after luncheon she took me round to the stables to see her hunter. She was carrying a Persian kitten in her arms, and while we were looking at the mare the kitten jumped down. Presently there were loud miaows from the yard. Elena rushed out, I following. A fox-terrier was worrying the kitten.

I never saw a personal transformation more startling. Elena's face was dark red as she kicked wildly at the dog, and when I had collared and cuffed him, and rescued the kitten—not at all hurt—her lips worked soundlessly and her eyes were wicked. She

insisted on going straight to Sir Dominic, and I could not prevent her. It took us ten minutes to find him in the gardens, but even then Elena could not speak for passion. When words came, they came in a flood—a flood of falsehoods. The head groom had deliberately set his dog on Mirza, and had stood there laughing while she rescued her pet. Mirza was badly bitten.

Sir Dominic looked interrogatively at me. I shook my head.

He interrupted Elena, telling her to give him the kitten. She did so, unwillingly. He examined Mirza, put her on the ground, and she promptly began to frisk. He reproved his granddaughter sternly; she did not dare to answer him back—there was a good deal of the imperious in Sir Dominic in spite of his courtliness and evident kindliness—but again her lips moved in that soundless anger that made me shiver, and for the rest of my stay she sulked, opening her mouth only when Sir Dominic was out of hearing to describe what she would do to the head groom if she had the power. Instant dismissal was the least of the penalties he would have had to bear. Malignancy is not an easy trait to eradicate, and I did not envy Nesta her task.

She seemed happy enough, however, whenever I saw her subsequently, which was usually when she brought Elena to town for shopping purposes. Mrs. Riordan's failing health compelled her to leave things more and more to Nesta as time went on, and in the satisfaction of her instinct for filling a useful sphere she was content.

CHAPTER XII

A Law Officer of the Crown

Meantime the seal had been set on Morry's achievements. He had been made Solicitor-General.

The Attorney-General and Solicitor-General are barristers appointed by the Prime Minister to serve the Government in regard to legal matters: hence they are usually the two most eminent members of the bar belonging to the party in power. Morry's description of his functions and those of his coadjutor, Sir Edward Rhys-Morgan, was: "I am the legal maid-of-all-work and Ned is the tweenie." Incidentally, they are always knighted, and Morry's beam was on at full power when I went to dine in Regent's Park a week after he was appointed. He had been to the palace the previous day to receive the accolade, and had not returned home afterwards until the small hours, there being a late sitting of the House. He had slept till nearly nine that morning, and consequently had breakfasted alone. Samuels Sir-Mauriced him to such an extent that he protested. He said that he was reading a letter at the time, and reproduced his absent-minded way of pausing between the words of a sentence.

"Er—Samuels."

"Yes, Sir Maurice?"

"Just see—that I am not served—with quite so much sirmaurice in future—will you?"

"Very good, sir."

Morry reflected that he might be robbing Samuels

of a pleasure. "Later in the day, Samuels—it will be quite all right. But—you know—*at breakfast*——"

On the Saturday following there was a biographical article on the new Solicitor-General in one of the weeklies. The writer, who was intimately acquainted with him, informed the world that one of his characteristics was an entire lack of the sense of humour.

. . . . . .

"I told Ned yesterday he was a lazy swine," said Morry angrily. "Either he must pull his share of the load, or get out of double harness."

There had been a horrible scandal. Rhys-Morgan, a Welsh Nonconformist of the straitest sect and the most scrupulously honourable of men, had been accused by the opposition newspapers of malversation and stealing ducks. There was nothing in it, really; the Fleet-Streeters who worked it for all it was worth no doubt laughed in their sleeves. But Rhys-Morgan had taken it seriously, and for months he had done no work at all. Now, the thick end of the law work of the British Government is a job for two able-bodied men working ten to twelve hours a day at top pressure. Morry had done it alone.

His skin had gone grey. His eyes were pit-holes of black fire. His hands shook so badly that he could hardly turn over the pages of a brief. He forgot what he was talking about in the middle of his sentences. His temper was ragged to a frazzle. However, he had rebelled at last, and I thought there was just a chance of saving him alive.

A few weeks later Rhys-Morgan was appointed Lord Chief Justice of England, and I went to the ceremony of administering the oath.

Scarlet and ermine and gold—

". . . to deal justice without fear or favour or respect of persons or parties. . . ."

From the middle of the lowest row of desks rose a sturdy figure that I knew well.

"I move that these proceedings be recorded."

The Lord Chief Justice inclined his head in stately fashion. "Be it so, Mr. Attorney."

Morry made a congratulatory speech, but I did not listen to His Majesty's Attorney-General. I was thinking of other things. What things? "I told Ned he was a lazy swine," for one. Also a certain two-thousand-guinea fee earned by a King's Counsel of only a few years standing. Of a young man with patched boots, who could not pay a debt of one-and-twopence for cigarettes, and a Jewy youth with a trace of Cockney accent, keen on his tasks at school. Of a plump baby—what the devil has it to do with you what my thoughts were?

. . . . . .

A new wind blew in the political heaven, and certain members of the cabinet did not see eye to eye with their colleagues as to an addition to the party programme. Morry was one of the minority. The possibility of a split in the Government was much discussed.

"What will Solly Squaretoes do—resign?" asked one of a group of men in the smoke-room at my political club. I was writing letters close by.

"Abramson? Not he."

"He's only a placeman," said a third, and the others agreed.

There was a certain amount of justification for the belief that Morry would not leave the Government. The truth was, he had sailed with the tide since entering Parliament because there had never been any reason why he should do otherwise. Preferment had come to him as a result of his eminence at the bar; there had been no question of selling his soul for office, as my friends assumed there must have been. But he was so fertile in expedients for getting round difficulties that he had given those who did not know him well the idea that he must be supple in character.

I knew this impression to be wrong. Morry had talked to me frankly about his political difficulties at times, and had shown himself incapable of compromise in a matter of principle, just as he was in his profession and in private life. But I thought it probable that his ingenuity would find a way out of the present difficulty which would enable him to remain where he was, or to accept some other office if there were a shuffle of the higher posts.

On the following Wednesday I was lunching at the Kean Club, and Morry came up to my table.

"Are you doing anything special this afternoon, Dick?" I said I wasn't.

"Then let us go to the Oval."

"Aren't you working?"

"My dear fellow, I have joined the unemployed."

CHAPTER XIII

The Law of England

My bearings had been heated over a public question—a disease which attacks me spasmodically. This time it was the question of bureaucracy. I like bureaucrats personally, but I do not like their official ways.

Sauntering up Regent Street one fine August morning I saw Bill Nixon coming out of a shop. I respect Bill. In his younger days he went right through the South African War, and he is one of those honest, simple-minded people who are really interested in their businesses. Also, he has a bank-holiday wit that likes me well.

I noticed that he was looking worried.

"What's the matter with you? Has a wagon-load of monkeys fallen down your neck?"

"No. A ton of bricks has fallen on my head, that's all. Thank you."

"As how?"—We walked along together.

"Well, it's like this. I booked a lot of orders for crackers this year, and amongst them some biggish lots of sevens and eights. The sevens have squeakers in them. . . ."

Bill always talks to me as if I were familiar with the details of his business.

I took his arm affectionately. "Bill," I said, "what is a squeaker?"

"A thing you make a noise with. Don't you know?

Haven't you ever put on a fancy hat and squeaked?"

"No. Why should I? Why should any sober man do such a thing?"

"You probably wouldn't be sober when you did it—at least, not now. But I sh'd've thought you'd been to a Christmas party once in your life."

"Oh! By a fancy hat you mean a paper cap such as one finds in a cracker, and by a squeaker, a thing you put in your mouth and blow?"

"Of course."

"Well, proceed. Crackers were ordered from you which were to contain squeakers. What's gone wrong?"

"The squeakers have come, but the Customs won't let me have them unless I get a licence."

"Why, what have you been up to? What is in them—gelignite, or aconite, or improper pictures?"

"There's nothin' in 'em," responded Bill sourly. "How could there be? If there was, they wouldn't squeak."

(Note that. There is nothing in a squeaker. If there was, you could not make a noise with it.)

"Then why won't the Customs let you have them?"

"I'm tellin' you. I ast 'em, how could I get a licence. They told me to go to a place in Whitehall. I went, and told one of the chaps there that I wanted a licence to import squeakers. He gave me a form to fill up. I looked at it, and found it was a form of application for a licence to import musical instr'-ments."

I remonstrated. "Bill! You don't need any licence to import musical instruments."

"Of course you do. I said, 'Hold on, this won't do. You haven't given me the right form. Squeakers are not musical instr'ments.' "

I laughed.

"The chap said it was the only form of that kind they had. The other forms were for things like you said—explosives and poisons, which evidently wouldn't do. He said squeakers must be musical instr'ments. I said they were not, and it was no use askin' me to fill up a form and sign it when it contained a lie. There was a declaration printed at the bottom, where you had to sign, and it said you certified that everythin' you signed for was true. Well, I couldn't do that, could I? They might have had me up next for makin' a false declaration."

"Continue."

"I went back to the Customs. They said they had ast about it before they wrote me I must have a licence, and a chap in Whitehall, not the one I'd seen, told them squeakers were musical instr'ments. I said that was silly. Don't you think I was right?"

"Quite right. In my experience, squeakers are by no means musical instruments."

Bill took me seriously. "Just so. I went to see the bloke. He was a superior sort of devil—one of those that drawls, like you do, only more so."

"Thank you very much."

"Don't mention it. He made a song of what was and what wasn't a musical instr'ment—several verses. He said I might appeal to the advisory committee if I wasn't satisfied. If I would write——"

"I know that game. I could play it in my sleep.

You needn't tell me about that. Tell me what happened."

"Well, he practically said it would be all right if I would fill up the form; I sh'd get the licence in a few days. Then I discovered another thing. I sh'd have to pay for my licence."

"What!"

"Yes. And, you see, we don't make much on crackers—they're a cut line—it meant that instead of makin' a profit on the number sevens, I sh'd make a loss. So I've just bin round seein' the buyers, to ask if they'd help me a bit, because the thing's new, and I couldn't know, when I took the orders, that the Government were goin' to do this. But they won't. They say it's my lookout."

I said: "This is too much."

"I sh'd think it was—a jolly sight too much. Why, do you know what I've got to pay on these squeakers?"

"I meant that your story was too much for me. It isn't a bad one—as a flight of fancy. It would make rather a good yarn: 'When England Goes Crazy.'"

"Don't you believe me?" demanded Bill, stopping suddenly.

"I do not, old son."

Bill walked on. "It's a funny thing, but nobody seems to know anythin' about this except the people in the trade. I must confess I was a bit staggered myself at first. But I happen to have a pal in the musical instr'ment business, and I went to him, to find out whether he knew anythin' about it. He gave me a copy of the law."

"The law! What law?"

"The law about havin' to get a licence to import musical instr'ments. I've got it at the office."

"Bill! What are you talking of? 'Air things what they seem, or is visions about?' Now, listen to me. There is no such law. There never has been. I am a lawyer——"

"Are you?" Bill looked at me with increased respect. "I thought you were in the diplomatic service before you went in for bein' an author."

"I was called at an early stage of my career."

Bill suddenly became frivolous. "Yes, most of us were. What were you called in your early days —little Dicky-wicky? or was it Tweety-tweet?"

"I meant that I was called to the bar."

"Well, I'll call you to the bar again now, if that was so long ago. It must be about time you had another drink."

The conversation on high stools ended in Bill saying: "Come round to the office," and in my going there. He rummaged in his desk and produced a piece of paper.

"Now, then. You say it isn't the law. Then tell me what sort of a bally law that is."

I did not know. There it was:

> "WE, GEORGE, of the United Kingdom of Great Britain and Ireland, King . . . the Lords of the Council . . . in virtue of the powers vested in us under section twenty-nine of the Customs Act, 1873, do hereby order that the importation of the goods specified in the schedule hereto attached

shall be permitted only under licence. . . ."

In the schedule was "Musical Instruments."

It was a proclamation by the Privy Council in the King's name—technically, an Order in Council.

My first impulse was to admit that I had been wrong. But I had committed myself to a positive statement that this could not be law, and I suppose my vanity fastened on the fact that an Act was cited as an excuse to say:

"I must look into this."

"What for?"

I explained that the only legal value such a proclamation has is derived, not from the King and the Lords of the Council, but from the Act of Parliament which authorises them to make it. "If it is not authorised, it has no force."

"What do you mean by 'having no force'?"

"It wouldn't amount to anything. Such things have happened."

"Well, but what do people do then—people like me? It wouldn't be a bit of good me tellin' the Customs people or that chap in Whitehall it was so—I think he's at the bottom of it, you know. They wouldn't believe me."

"Of course they wouldn't. But you would apply to a judge first, and if he gave you an order, you could go down to the Customs and say: 'Hand over.' "

Bill's eyes sparkled. "I say, that would be a lark. Would they do it—give me my parcel?"

"How could they refuse?"

"And you think there's a chance that this law isn't right?"

I felt ashamed of myself, but I had gone too far to draw back. "There is always a chance."

"Can you find out whether it is or not?"

"Yes."

"Then do, and let me know."

I looked up the Customs Act of 1873. Yes, there it was.

"29. *His Majesty may by Order in Council prohibit the importation of opium, laudanum, or any other goods.*"

It was perfectly clear. "Or any other goods." Squeakers, for instance.

I went down into Buckinghamshire for the week-end. Morry, who had returned to private practice at the bar, was slacking, it being the vacation.

On the Sunday morning we went for a walk. I said:

"Morry, I have stumbled across a curious point of law. Did you know that the importation of goods could be limited by Order in Council?"

Morry was uninterested, as usual. He answered absently:

"Yes, I think I did, Dick—as to some things."

"Arms and ammunition, explosives, opiates?"

Morry said: "Er—I think that is right."

"Did you know that the importation of any kind of goods could be prohibited in the same way?"

"No, I cannot say that I did."

"Well, it can. That is the point I have stumbled on. I'll tell you how."

I warmed up over the story. "This really is a scandal, Morry. Can't you go for the Government about it when Parliament meets?"

"I don't see why you should resent the limitation of imports," replied Morry. "I seem to remember having heard you argue the case for Tariff Reform."

"Yes, but this is quite a different thing. See how the system works. The order says nothing about toys. It only mentions musical instruments, with which Nixon is not concerned at all. Then, some bureaucrat or other decides that his silly little squeakers are musical instruments, and the trap closes on him."

"That does seem rather a high-handed way of doing things," said Morry. "But you know, Dick——"

He paused.

"What's the matter?"

"Are you sure you have it right? What is the authority for making such orders?"

I told him again.

He looked puzzled. "The section explicitly confers the power to prohibit the importation of any kind of goods?"

"Certainly. It says so."

"Can you remember the exact words?"

" 'His Majesty may by Order in Council prohibit the importation of opium, laudanum, or any other goods.' "

"*Sui generis*," said Morry.

I knew that the words meant "of that kind," and it flashed across my mind that in the text-books there is at least one reference to them. But I could not remember what it was.

"Explain."

"You must read the words into the section. 'Opium, laudanum, or any other goods of that kind,' is what it means."

"But——"

"The doctrine of *sui generis*," pursued Morry, "is that wherever particular words precede general words in a definition, the general words must be read in the light of the particular words. It is a matter of common sense. If it were not so, what would be the object of inserting the particular words? Take this instance. If Parliament had intended to confer on the Crown the power to prohibit the importation of any kind of goods whatsoever, the section would have read, 'His Majesty may by Order in Council prohibit the importation of any kind of goods.' Why then were opium and laudanum mentioned—just two articles out of the great number which regularly come into the country? To show what *kind* of goods is intended."

"Then the proclamation is bad?"

"I think so."

"What's the proper procedure?"

"Does your friend think of fighting it?"

"He might wish to."

"I do not think you should encourage him to go on until you have made quite sure of the position. Did you bring the papers with you?"

"No. I didn't think there was anything in it from a legal point of view. I only told you because I thought it might be of use to you from a political point of view."

Morry's position was peculiar. He was on the Government side, but it was notorious that he did not approve of the principal item of their policy. Hitherto he had refrained from any active opposition to their plans, but I thought he must come into the open sooner or later.

"Ah." And from the quality of his silence on the way home I knew that he was thinking about it. As we came in view of the house he said:

"Come down again next week, Dick, and bring those papers with you. You do me good. You know, old fellow . . ."

He said flattering things.

When I returned to town, I went to see Bill.

"I think that proclamation is bad."

"Do you be-Jove?" There was a fighting look in Bill's eye. "Good lad. Now I'll tell you somethin'. I went to that blighter in Whitehall again. I said, if I took out my licence now, and paid the money, would they give it me back if the committee decided that squeakers were not musical instr'ments? I explained to him why I proposed this—because I c'dn't wait. I must have my parcel. I must deliver the crackers. Christmas won't put itself off while these chaps make up their minds. I told him all about it, frankly. Well, he w'dn't. He said it wasn't possible. He said a licence-fee was a somethin' or other —what is it?"

"A theft, I suggest, under the circumstances."

"You mayn't be far wrong there. I'll tell you for why. When I persisted, and said it seemed a rotten way of doin' things, almost dishonest, if squeakers

really are not musical instr'ments accordin' to this law, he got lofty, and said: 'Well, Mr. Nixon, you have no one but yourself to blame. If you prefer to order your supplies from abroad, instead of procurin' them in the United Kingdom, you must take your chance.' "

I sat tight.

"Then I saw what he was. He was a Tariff Reformer." Bill's tone implied that condemnation could no farther go.

I still sat tight.

"Don't you think he was?"

"Probably. But, Bill, tell me something—as a matter of curiosity—couldn't you have got those squeakers in the United Kingdom?"

Bill snorted. "Where from? They aren't made here. Who's goin' to make 'em? My dear chap, they would cost more than the crackers are worth."

"Couldn't you put up the price of the crackers?"

"Put up the price of the crackers!" echoed Bill derisively. "Yes, I could put it up, but who'd pay it? Nobody. Nobody would buy crackers with squeakers in them at a price like that, and consequently the people over in Bohemia would starve, and the people in Wandsworth would have no number sevens to make. If that's what you want, say so."

It was not what I wanted. I wanted the letter from the Customs refusing him his goods. I said so.

Bill yelled "Miss Simpkins!" with a suddenness that made me jump. A child presently entered.

"Do you know where that yellow form is we got from the Customs about the squeakers from Maritz?"

"I think Bert had it, Mr. Nixon."

"Just see."

Miss Simpkins went out, and I overheard a discussion going on between her and some other girls in the outer office as to where Bert was likely to have put the yellow form. Ultimately, it was brought in.

Below the printed heading with the royal arms, there were some cabalistic characters and figures, and then this:

"The importation of these goods being prohibited, except under licence, by Order in Council, please produce your licence to import."

It was signed "H. Dean."

Armed with books and papers, I arrived in Buckinghamshire on the Thursday afternoon. David and Mariel had come home, and the house was filled with young people. There were tennis and croquet tournaments in full swing, dancing o' nights, and a jamboree generally. Morry was thoroughly enjoying it. It was not until after supper on Sunday evening that he said:

"Let me have a look at those papers, Dick. I saw that you had them with you."

I brought them, and presented the proclamation first.

Morry read it, and put it aside. I gave him the Act.

He read the relevant part of that, and the same with regard to the preceding Acts. Then I showed him the precedents; finding them had cost me no small toil.

He glanced over them. "Nothing in that." "Noth-

ing much in that." "Nothing at all." "Nothing." "A little there." "Nothing."

I felt slightly hurt. I showed him the yellow form which the Customs had sent Bill Nixon because it was the only "document" I had. I knew that it was of no importance. Morry read it, and became pensive.

After five minutes or so he asked: "Your friend intends to fight this?"

"I think so."

Another silence.

I suggested that the proper procedure was, to have a solicitor write, on the client's behalf, claiming that the proclamation was bad in law, and that the goods should be released. Then, if the goods were not released, to apply to a judge for an order.

Morry replied: "I do not think your procedure is right. This is your man." He laid his hand on the yellow form.

"Dean?"

"Yes, Dean. He is the fellow who says to your friend—what is his name? Nixon—Dean is the fellow who says to Nixon: 'You shan't have your goods unless you produce an import licence.' The question is, why not? That is the issue to place before the court."

"But he says why not—because of the Order in Council."

"Yes, in the letter. Let him say it in court. You rejoin: 'But the order is without force,' and proceed to show that is so."

He still had his hand on the yellow form. I have

often thought of it since—that strong, pudgy hand, laid flatwise over the letter. It was as though he had Mr. Dean—and, behind him, the British Government—pinned fast under it.

"Who is Nixon's solicitor?"

"I don't know."

"He should have a good man for this. Do you know Jack Hemingway? He is one of your own sort—red-hot about public rights. Advise your friend to go to him. He may say that I recommended him to do so if he likes, but I do not wish him, or you, or Hemingway, to mention my name in connection with the matter otherwise. Tell Nixon that, won't you? Hemingway should brief——"

A long pause.

"He should brief Fiennes. Fiennes is the man for this—a doggy fellow."

I knew Fiennes by repute. He was a K.C., and something of a top-lofter.

"What sort of fee does he get?"

"For a thing like this? Oh, perhaps seventy-five guineas."

"Not more than that?"

"Tell Hemingway to send him the brief; he won't let it pass him. By the way, he has a very good junior in his chambers—a young man named Marratt. A keen fellow. Marratt should be briefed too. He should have twenty-five. What about you?"

I said that I should be very glad to help Marratt if I could, but I would not accept a fee.

"You should take your guinea. Now, let me see. I shall be in town on Wednesday. Come in. We will

see whether Fiennes is there, and if he is we will have a chat with him. If not, remind me later to speak to him. In the meanwhile, your friend instructs Hemingway, and Hemingway serves the writ —a writ to show cause. Then apply to the Vacation Judge to fix a date for the hearing."

"You can have your fight, my lad. That proclamation is only good for pipelights. Dean is the man to go for. He has your squeakers——"

"He hasn't got them now."

"What do you mean by that?"

"I've got them."

"You procured a licence?"

"Of course. I c'dn't wait. I told you so."

I was profoundly disappointed. "Then it's off."

"Why? They had them three weeks. Can't you go for them for that?"

"Don't be an ass. You can't bring a case against the Government because some goods have been delayed in Customs three weeks. The court would laugh at you. There must be a *corpus causæ*."

"A which?"

"Something to fight about, thickhead. A material object of which you can say: 'That's mine. Give it to me.' In such a case as this, goods."

"Oh, you want some goods to fight over? Don't tell me in Latin," added Bill hastily. "Let's have it in plain English—that's your native language, although you often forget it."

"Yes. We want goods."

"Then, that's easy. There's another lot comin' along—they ought to be here this week. I bought

them as a spec., but it doesn't matter if I don't get them, they'd come in for next year's trade."

I shouted, "Shut up!" in the middle of the last sentence, but Bill took no notice whatever.

"You are an idiot," I told him. "Now listen to me. This is just a casual conversation. You say this second lot of squeakers will probably arrive this week——"

"Yes," interpolated Bill, and before I could stop him, added, "and you can play with those as long as you like."

"Will you shut up? Listen, you dolt. When they have arrived, presumably you will receive the yellow form with a note on it to the same effect as you had about the last lot."

"Sure," agreed Bill affably.

"Very well. Have you a solicitor?"

"No, and I don't want one."

"You must have one for this. I recommend you to go to a man named Hemingway——"

"No, you don't," interrupted Bill in a firm tone. "You've got to do this yourself, Daddy Longlegs. I go to no solicitors."

"Then I'll send him to you. You must instruct him formally."

"Why?"

I explained that according to the etiquette of the legal profession, I, as a barrister, could not receive any authority to act for him except through a solicitor. Bill gazed at me pityingly.

"You had to pay a lot to become a lawyer, hadn't you?"

"My father had to pay a good deal of money to enable me to become one."

"And now you strike a little job like this, you have to get another fellow to do the work for you? Good Lord, can't you even get a parcel of squeakers yourself? Well, well. Your father was a clergyman, and you've got swank relations—didn't I hear you say once that your family came over with the Conqueror?"

"You did not. We were here long before the Conqueror came."

"Then I must be lenient with you. What am I to say to this chap? Put it short."

"You must give him the yellow form, and say: 'I want these goods. Take the necessary steps to get them for me.' Don't say more than that."

"Can't I put it shorter? Wouldn't—'I want my squeakers: get 'em'—do?"

"That's the same thing."

"In less words, Osric. Now let's see whether I've got it right." He repeated "I want my squeakers—get 'em" three times, very rapidly, with his eyes shut, and opened them to inquire: "Mayn't I say good mornin' to this chap? I like to be civil."

"Don't fool. I am trying to get it into your head that you must say you want your goods. You must *not* say that you don't care whether you get them this year or next."

"All right, Egbert. Don't have a rush of blood to the head over it. That's dangerous at your age."

I rose to go.

"How much is this goin' to cost?"

I had not thought about that, except as to counsel's fees. I reflected. Fiennes might have to go into court more than once, and there would be Marratt as well, and Hemingway's charges, and incidentals.

"Oh, perhaps five hundred altogether at the outside. But the Government will repay you most of it. You probably won't be left more than a hundred or so to the bad."

"I don't mind a hundred. But what's this about the Government payin' for me? Why should they do that?"

I said there was no doubt we should win, and a verdict would carry with it an order that the Government must pay the larger part of our costs.

"But meanwhile it's my risk?"

"Yes." I added, on an impulse: "And it is just possible, though I don't think it's at all likely, that you might be left to pay the lot."

"Five hundred quid."—Bill meditated.—"All right. When any man tries to ram Tariff Reform down my throat, he's goin' to get all little Willy can give him. Go on—buy as much hell as you can up to five hundred quid's worth. I'll take the risk of havin' to stand for it. But you must run away and play now, Athelstan. Mother has to work."

The squeakers duly arrived at the Port of London, and Bill received the yellow form. Hemingway thought the Vacation Judge might want evidence that the goods had been definitely refused to us, so he told Bill to send his van down for them. The vanman was to ask to see Mr. Dean, and say: "I am

Mr. Nixon's servant, and he sent me to get these goods. Will you let me have them?"

Dean refused, of course. Hemingway took out the writ and served it. On the following Tuesday morning Bill rang me up to say that a writ had been served on him. I was going to lunch with Morry, who was passing through town on his way to Scotland, so I went to Bill's place and got the writ. It had been taken out nominally on behalf of the Attorney-General, and called upon Bill to appear, on a day to be appointed, to show why a quantity of musical instruments detained at the Custom House should not be condemned as lawfully seized. This is the usual procedure when people try to bring in goods the importation of which is prohibited, but I could not understand why the Customs should want to take proceedings in respect of the squeakers when we had already done so. Morry did not explain.

"When are you applying to the Vacation Judge—to-morrow?"

"No. Next week." The Vacation Judge only sat on Wednesdays.

"You must get in first. Apply to-morrow. Tell the judge that the case is urgent because it involves the whole musical instrument trade."

"But who is to make the application? Marratt is on the Continent and Fiennes in Cornwall. Neither of them will be back till Monday."

"Do it yourself," was the bland rejoinder.

"Me?" I was flabbergasted at the idea. I had never opened my mouth before a judge on the bench in my life.

"Why not? You once told me, if I remember your phrase rightly, that you were just as much a barrister as I was."

It was true that I had said so, many years before, in a boastful moment.

I found my vanman waiting in the hall, and took him upstairs with me. There were three other barristers in court. They had been nestlings when I first "appeared" with Morry in the Jafes case—they were little more than fledglings now. But they were as bold as brass, and stared. I felt my courage oozing away from my fingers and ears.

Mr. Fledgling No. 1 leaned across and said in a cheeky voice: "Are you for the defence in 'Gershon *versus* Applethwaite'?"

I said I was there to make an application on behalf of a plaintiff against the Crown.

"Oh! Be long?"

"I don't think so."

"Well, be as quick as you can, will you? I want to go to Lords."

The coolness of him!

The judge came in, bowed to us, and took his seat. He unfolded some papers.

It was now or never. If I did not get up at once, the others would not wait for me. But I felt as though my feet were rooted to the floor.

I staggered up somehow, but my tongue seemed to fill my mouth. In that moment I realised for the first time the meaning of the phrase "the majesty of the law." The judge was only an old gentleman with his nose skinned by sunshine and salt breezes;

but behind him was the might of a great kingdom.

"Yes, Mr.——?" he said kindly.

"Youatt, my lord."

"Of course. I know your face quite well, Mr. Youatt, but could not recall the name for the moment. You wish to make an application?"

The old gentleman must have seen how nervous I was.

"Yes, my lord, in regard to 'Nixon *versus* Dean.' "

I heard Mr. Fledgling mutter to the man next him: "He said he was against the Crown." I had said so. It was a slip. I was against the Crown really, but not nominally. This made me worse.

"Nixon *versus* Dean," repeated the judge. "Have I heard of that? Is it before the courts?"

"No, my lord."

"Then tell me something about it, Mr. Youatt."

He leaned back comfortably, and I took courage. He was being very kind to me. But when he heard that it was a case against a Customs officer, and that the legality of a proclamation was involved, his face grew grave. I offered him my vanman, who was a stout fellow.

"Did you give the other side notice of your intention to apply for a date to be fixed?"

"No, my lord."

"Then I think you should do that. Do it, Mr. Youatt, and come again next week."

"Thank you, my lord." I collapsed, gathered up my papers with trembling hands, and fled. Once in the fresh air, I felt better. I took the vanman to a

pub and stood him a drink. He was disappointed at not having had an opportunity to relate his encounter with Mr. Dean. I admired that vanman. He was a very stout fellow. But I had come to a solemn resolution in court, and I kept it. I went to my rooms in Clifford's Inn, and burnt my wig and gown in the grate. Not again, for anything or anybody.

Marratt insisted that I should come into court with him on the following Wednesday, however, so that I could prompt if necessary. We went. While we were waiting for the judge, a tall thin man, with finely-chiselled features, came in and took his seat in the row below Marratt—the row reserved for K.C.s.

"Cæsar's ghost!" said Marratt *sotto voce*. "What on earth has brought his High Mightiness the attorney into a Vacation Court?"

It was Sir Marmaduke Faringdon, Morry's successor as Attorney-General. He was one of the ablest lawyers of the day, but rather vain, especially of the resemblance he bore to the late Mr. W. E. Gladstone. We soon found out what had brought him into court. We had. He was appearing against Marratt in "Nixon *versus* Dean."

"I say, this is a lark!" whispered Marratt. He was as gleeful as though opposing Attorneys-General were the greatest fun imaginable. "Take notes for me, will you?"

Where do the young men of the present day get their amazing self-confidence from? They are wonderful.

The Attorney-General said that our action was mis-

conceived. We had no need, nor had we the right, to bring an action against Mr. Dean for doing his duty. Mr. Dean was an officer who received orders from his superiors, and was bound to act upon them.

"But suppose the orders are wrongfully given," queried the judge, "and it is Dean who carries them out? That is what Mr. Youatt, who appeared last week for the plaintiff, alleged."

He glanced at us, and saw that I was not in wig and gown; technically, he could not see me at all in consequence.

"I am for the plaintiff, my lord," said Marratt.

The Attorney-General did not condescend to look in our direction. He said that even admitting the force of the judge's remark, what we ought to have done was to have given notice that we disputed the right of the Customs to detain the goods, and then he, the Attorney-General, had the duty laid upon him of applying to a court for a declaration that the goods were liable to seizure, as he had done in this instance within three days of the dispute being brought to his knowledge. Then we could contest the validity of the proclamation, or in any other way that we chose contend that the goods had been wrongfully detained. That was the proper procedure, laid down in the Customs Act of 1856.

This sounded fair enough, but I felt sure there was a catch in it.

Marratt got up, cool as an iced melon. "I submit to your lordship that the defendant Dean has wrongfully detained our goods. Now, we need our goods——"

"Just a minute, Mr. Marratt." The judge wanted to help the youngster. "Is it part of your case that the goods have not been detained under the Act of 1856, or any Act?"

Marratt was on to it like lightning. "Yes, my lord. That is what we contend. If I may put it in my own words, I should say"—he reflected for a few seconds, exactly in the same way as Fiennes did sometimes in the middle of a difficult argument—"I should say that in our view the defendant is simply a wrong-doer. He claims to act under an authority which does not exist—in my submission. If I may offer your lordship an illustration——"

"Certainly, Mr. Marratt." The old gentleman was enjoying the tussle between a lad of twenty-five and the experienced Attorney, and wanted to give Marratt an opportunity to show what he could do.

"Suppose I were to arrive in England from abroad" —he had lately done so—"and as I pass through the Customs a Customs officer seizes my hat. I say, 'Give me back my hat.' 'No,' says the Customs officer; 'I seize your hat under the Act of 1909.' But there is no Customs Act of 1909. Parliament did not pass any such Act. Could it be contended that in such a case I cannot compel the Customs officer to appear and justify himself if he can? How could the procedure laid down in the Act of 1856, or any other Act govern such a case? And, in my submission, that is substantially what has happened in the present case."

He sat down. He had done very well.

The Attorney-General said that the illustration was

fanciful, and went on to argue that it would be impossible to carry on the business of administration if every person who chose to think himself wronged by the King's servants could summon them individually before the courts and compel them to show, on the spot, that their action had been justified. Therefore, Parliament had, in relation to various branches of the administration, laid down, in different Acts respectively applicable, a procedure, which was to be followed whenever a subject conceived himself to be wronged, whatever might be the particular manner in which he thought himself to be wronged.

"I cannot follow you as far as that, Mr. Attorney," said the old judge, shaking his white head. "That would amount to saying that a subject who is wronged by one of the King's servants without even a show of legality is debarred from coming into this court, or some other court, and asking for redress. That cannot be so, Mr. Attorney. Any person—King's servant or other—who does wrong may be cited to appear and answer for his wrong-doing. And the court will listen to the plaint. That is what courts are for."

God bless the English bench!

We did not get all we wanted, though. The old gentleman said, when the unequal battle was over, that the issue was so important, and the time to elapse before the regular courts would be sitting so comparatively short, that we must wait until the term began and then apply to one of his learned brethren as to expediting the trial. If we would remind him the day before making our application, he would mention the matter to his learned brother, and say

that in his view it was a case which ought to be brought to trial as soon as possible.

Incidentally, he inquired: "By the way, what are these goods? I see that the plaintiff describes them as toys. But the order of which the validity is in question appears to apply only to musical instruments."

"They are musical instruments," said the Attorney-General, and I dissented audibly.

"What do you say they are?" inquired the judge of Marratt. I prompted.

"Things to make a noise with, my lord."

For a moment the judge looked more puzzled than ever. Then a slow smile overspread his face. "Possibly," he murmured; "very possibly."

I was beginning to have the same idea.

When Morry returned to town, I went to Regent's Park.

"I hear that the Government brought out their big gun against you and let it off in the first round," he remarked.

"Yes. He didn't get his way, though."

"You have not done with Faringdon yet, Dick. He is an ingenious fellow."

I had still to learn how true that was. I thought then that I knew something about dodges for delay. I do now, but it was Sir Marmaduke Faringdon who taught me. Up and down, backwards and forwards, with applications and counter-applications and motions and cross-motions, he and his satellites ran us through the gamut. The Solicitor-General, Sir Brian Macdonough, usually appeared against us, but

once the attorney himself came, and we were in court a whole day. He claimed that the Crown, on whose behalf he had taken proceedings, had a right to a stay of our action until his was decided, because a fiscal consideration was involved—the fee to be paid for the licence. He was a great authority on constitutional law, especially as to the royal prerogative —an obscure and difficult part of it. He quoted instance after instance, back to Edward I., in which both Crown and subject had taken action when money for the Exchequer was in question, and the subject's action had been stayed.

I could not understand why he was taking so much trouble; after all, the issue must be tried sooner or later. Fiennes, who had been sending out for volumes of Law Reports all the time the attorney was speaking, began his reply by observing that it did not matter to us in which form the issue was tried as long as it was tried. If the attorney would give an undertaking that the proceedings on his part would be brought to trial this term, we would agree to a stay of our action.

The attorney, who was on the point of leaving the court, shook his head. "I will undertake that there shall be no unavoidable delay," he assured the judge.

"That means nothing," commented Fiennes in a sarcastic undertone.

The attorney went out.

"What did you say, Mr. Fiennes?" inquired the judge.

"I ventured to observe that the undertaking offered by the learned attorney is practically valueless, my

lord. Everyone knows that the Crown never hurries over Customs cases. 'This year, next year, sometime' —well, no, I must not finish the jingle, though I fancy it might be never for us."

In a leisurely fashion he arranged the volumes he had been consulting in a row. It was a long row. The judge seemed to be immersed in thought.

"If that is all the Crown will undertake," pursued Fiennes, "there is no alternative. I shall have to convince your lordship that your lordship need not grant a stay unless your lordship thinks fit to do so on the merits of the case, and as to that I can show your lordship in a few minutes that in this case there is not a shadow of justification for a stay."

"Is that so?" said the judge interestedly. "What is this case about?"

I was puzzled. The issue in the action—whether Bill had a right to his box of toys without the Government's permission—was not in the question that day. The only question was, were we entitled to force Mr. Dean, or his legal representatives, into court to justify what he had done? It did not matter in the least what it was that he had done.

But the little man on the bench seemed to think it did.

"This certainly appears to be a question which should be settled speedily," he was saying. "Mr. Risque, can you tell me when you are likely to be ready with these proceedings of yours?"

Risque—the attorney's junior left in charge—couldn't. The judge looked dissatisfied.

Then Fiennes began on his argument. In his

leisurely fashion he, too, quoted precedents. The judge became pettish.

"Are you going to follow the attorney's example, and take me back to the Plantagenets?" he inquired as he noted another reference. "Because, if so, it is going to take me weeks to decide this."

"I regret that so severe a burden should be thrown upon your lordship," responded Fiennes, "but, as I ventured to point out, it could easily be avoided."

Then I saw how doggy Fiennes was, and began to laugh inwardly. The judge, being human, did not wish to spend over law-books hours and hours when he might have been going for drives with his wife, or playing cards, or whatever he did when he was not on the bench: Fiennes had pointed out a way of escape, and meant to drive him into it.

He succeeded. The judge began to bully Risque —who, of course, was in no way responsible for the attorney's tactics—and ultimately made things so hot for him that he sent a note out of court, asking whatever dark powers lurked in the background for permission to do what the judge wanted. Permission was given, and he undertook to bring the "Attorney-General *versus* Nixon" to trial that term; whereupon Fiennes agreed that "Nixon *versus* Dean" should be stayed, which meant that it would be dropped. As he had said, that did not matter to us; all we wanted was to have the issue tried.

I did not venture to congratulate him, because he might have thought it cheeky. I expressed my admiration to Marratt, adding:

"I can't understand why the other side should have

gone to so much trouble over a mere pedantry."—The reason given, in court, was that if we were allowed to succeed in bringing Dean to book it would create a dangerous precedent.

Marratt looked at me. "The Government wanted to put off the trial of the issue as long as possible."

"Why?"

"Some political reason, Abramson told Fiennes it probably would be so, and that was why he had advised you to begin the action against Dean before we came into it. We could use the action against Dean as a lever, see? Which is what Fiennes has done."

So the strategy was really Morry's! I felt rather sore because he had not explained it to me at the commencement. Evidently he did not trust me in such matters. I reflected, however, that he was probably right not to do so. I should have been angry, and might have talked about the way in which the case was being conducted by the Government; which, if it had come to Faringdon's ears, would have done us no good. Morry had not taken any interest in the case since. I had been a little aggrieved about that.

But Faringdon had not done with us even then. He made use of his privilege as a Law Officer of the Crown to put the trial off until it was too late for it that term. The Law Officers have, by courtesy at least, a preference as to the arrangement of dates—that very complex problem which leads sometimes to a barrister not being present when he has been briefed—the idea being that the Crown must be

properly represented, whoever else suffers. When the next term began we had a day fixed, and then another putting off. The thing got on my nerves. I began to haunt the courts, like my namesake Richard Carstone in "Bleak House." As a matter of course, I went into courts where Morry was appearing when he was appearing, and usually waited to speak to him when he came out; so it happened that one day we walked down the gallery on the Chancery side together.

Faringdon came along. The great men nodded to each other, and were passing on, when Morry turned back.

"Faringdon—I hope you will not have to ask for another postponement in your Customs case fixed for Thursday. I am booked up for the next three weeks with the Commission."—The Government still made use of Morry, and, some time before, had graciously bestowed on him a very thankless job.

"Are you in that?" inquired Sir Marmaduke, referring to the case.

"Yes. They have briefed me at the last moment."

Sir Marmaduke nodded and went on.

Thursday was the day last fixed for our case, and I had been hoping very much that we should not be put off again, because we were to be before Sir Thomas Manley, a strong judge with that sobriety of intelligence which is the best of all judicial qualities. But for all I knew Morry might have been briefed in some other Customs case. I waited until we reached the private room he had as an ex-Law Officer.

"Morry, do you mean that——"

"Yes, Dick. I rang up Hemingway, and asked him whether he thought your friend would object to my lending Fiennes a hand."

Object!

"He said, 'No.' I told him the fee would be nominal—a guinea."—Morry appearing for a guinea!—"But I am in a predicament. I have no junior. Hemingway suggested briefing Lawes, but Lawes has enough to do. I have been wondering whether you would be so kind as to act with me."

I was overwhelmed. I tried to say——

"Rubbish!" said Morry with his beam.

So I had to get me another wig and gown after all.

I spent the intervening days in a feverish condition. I could not leave the thing alone, and hung about, trying to get a chance to talk to Marratt, but Marratt was all day in court and up to his eyes in work afterwards. The consultation was fixed for Wednesday afternoon, at six. Wednesday was a dreadful day for me. In the luncheon hour I met Lawes, the man Morry had taken into his chambers to slog for him.

"Your Customs case," said Lawes. "I suppose you found 'Hunt *versus* Devine'?"

"No. What's that?" I knew the precedents by heart.

"An Admiralty case. That was why it occurred to me that you might have missed it. Come upstairs."

He showed me the case. It seemed to me to be just what we wanted.

"Rather good, that? But don't say I put you on to it. Abramson told me to leave the matter alone."

I did not like this, but I could not well refuse to do as he asked. I spent the afternoon gloating over 'Hunt *versus* Devine,' went up to Morry's chambers with it at half-past five, and waited. At ten minutes to six Duncan came in and said:

"Sir Maurice has been asking for you, sir. Will you go into his room?"

I went in. I was horribly nervous. I had never acted officially before.

Morry was reading his brief. Without looking up, he said: "The consultation in the 'Attorney-General *versus* Nixon.' It is to be in Fiennes' chambers, Duncan says, at six."

"Yes."

"Have you anything to say to me?"

"I want to call your attention to this." I put the book in front of him.

"Ah." He read. "Yes. Yes. Um. This is very good, Dick. Does Fiennes know of it?"

I said guiltily that I had only chanced on it that day.

Morry read on for a few minutes. It was a long case. He turned to the judgment.

"Quite in our favour," he said in another two minutes or so. "Shall we go across?"

We went to Fiennes' chambers. Bill was there with Hemingway, and I introduced him to Morry, of whom he inquired genially:

"Are you goin' to give the Government hell, too?"

"I hope so," replied Morry. "We shall do our best."

Bill said nothing to that. He sat down in a corner, and stared at the speakers in turn.

Morry refused to take charge of the consultation. Fiennes stated our case with a precision that could hardly have been improved upon. He referred to most of the precedents Marratt and I had collected, and summarised the whole thing in a few words.

"The question is, does the doctrine of *sui generis* apply to the clause or not. That is the issue in a nutshell. I think it does."

"I agree," said Morry. "Are those all your precedents?"

"There are one or two others, but they are really covered by those I have referred to."

"Then there is one other case to which we might, I think, refer. Youatt found it this afternoon. 'Hunt *versus* Devine'—an Admiralty case. Did you bring the volume with you, Dick?"

"Yes."

"Give it to Mr. Fiennes."

"The case is this," pursued Morry in his easy amiable fashion. He proceeded to summarise it, and, quick as I had known him to be in the old days at tearing the heart out of a thing, I was amazed by the mastery he displayed. "That covers us, I think," he observed in his mildest tone at the end. Fiennes, who had been following him by the book, agreed, and, to my discomfort, I found that I had covered myself with glory.

When we broke up I told Bill to wait for me. I took him to the Cock for a drink.

"Is that Jew chap the man who's come in to take charge—the man Hemingway told me about?"

"Yes."

"He's an awfully good pal of yours, isn't he?"

"Yes."

"Here's to him," said Bill tersely, and drank.

"You must have got a rum lot of pals, Hereward," was his next observation.

I said that had occurred to me sometimes.

"I'll lay you haven't got a better one than him."

"No man ever had a better."

"Would he come and dine with us—me and you—when it's all over?"

"If we win? Yes, I should think so."

"If you win?" Bill gazed at me. "He'll be there, won't he, directin' operations?"

"Certainly. He is our leader."

"Then what are you worryin' about? Win! Of course you'll win."

"How do you know?"

Bill put down his empty glass, and leaned his face close to mine. "I've heard his sort of talk before, Oswald. I wasn't sure of him at first. I thought he might be like you. But when he said 'That covers us, I think,' I saw what kind of a fellow he was. My brigadier in Africa was another of the same sort; all you could do for the Boers when he'd finished with 'em was to bury 'em, and all anybody will be able to do for those other chaps to-morrow evenin' will be to take 'em home in a cab.—Let's have another of these, they're very small."

We went into court, and took our places. As leader, Morry sat near the middle, Fiennes being on his right; I, of course, was in the row behind. On Morry's left were the Law Officers, the Attorney-

General next him and the Solicitor-General on Faringdon's left. Macdonough was a great contrast to his fellow Law Officer. He was short and thickset, and something of a bully. He had been promoted to the position he held on account of his political services rather than for his knowledge of the law. He was reputed to be miserly, and it was also said that he was too fond of the bottle—especially the kind of bottle that contains spirits. He and Faringdon had one point in common, however—they were both scholars.

It is usual, among these big men, for those who happen to have come into court first to nod to the others as they take their places. In this case, Faringdon and Macdonough were engaged in conversation and did not notice Morry for a few minutes. Then Faringdon looked round, said, in his slightly patronising way, "Ah, Abramson! Troublesome fellow!" and resumed his conversation with Macdonough, who had nodded curtly to Morry.

A minute or so later, Morry turned to say something to me, and in his eyes I saw the spark.

I was amazed. He had come across from chambers in the utmost good humour, chatting about David; he had shown no sign of keenness in regard to the case. I thought that he had only come into it as a compliment to me; now it struck me that Faringdon and Macdonough would do well to look to their guns instead of discussing the Dionysian myth. Morry meant to have their blood.

Faringdon opened his case. He took the line Fiennes had prophesied he would take—that the doc-

trine of *sui generis* did not apply in this instance—but some of his observations puzzled me. He went along in his easy flowing style until he came to his precedents. He turned over the pages of his brief, and scrutinised a list through his eyeglasses.

"The first case to which I wish to call your lordship's attention is one which was tried in the Admiralty Court some forty years ago—'Hunt *versus* Devine.' "

I nearly jumped out of wig and gown. My case! The other side were going to quote it against us! In my agitation I leaned down to speak to Morry, and saw that he was lying back in his peaceful attitude, with the pencil beating "Things-Go-Well." I recovered myself. Faringdon flowed on about "Hunt *versus* Devine." The judge was looking puzzled. Macdonough plucked at Faringdon's sleeve, whispered to him urgently. He paused to give attention to what Macdonough was saying.

"Yes, Mr. Attorney?" said the judge. "The papers in this case were sent to me on Saturday, and I have been spending a portion of what is, I believe, supposed by the public to be my leisure time in studying them. 'Hunt *versus* Devine' was not mentioned at the previous hearings, but I looked it up. What puzzles me at present is that, as I read it, the judgment is against you. Perhaps you will enlighten me."

The Attorney-General had made a ghastly blunder. He had been supplied with a list of precedents that were favourable to the contentions he had to put forward, and a list of those that were not—those we should probably put in—and he had mistaken the

one for the other, quoted the first case on the wrong list; it would be at the top because it was the most unfavourable one from their point of view. If he had pulled himself up before he got into it, and substituted the title of the first case he actually wished to quote, with a word of apology, it would have passed as a slip. But he had gone on about it. The mistake would have been barely excusable in a raw junior.

He met it very well. He used the cliché "As your lordship pleases," and, with only the briefest of pauses, went on to quote the right case. But, during the pause, Morry said, in a deep voice audible to everyone in court:

"Advocacy!" The tone was loaded with contempt.

The judge looked up—I fancy he had been having a little chuckle to himself—and gazed at Morry in surprise. I thought he was going to say something by way of reproof. But Morry was, apparently, dozing; he did not appear to be paying any attention to what was going on. So the judge decided not to notice his breach of good manners.

Faringdon noticed it, though; he winced. I felt hot. That Morry—Morry the suave, the self-controlled, should let himself go in an almost vulgar fashion! Faringdon had made a bad blunder, certainly; but Morry had no right to insult him about it, to rub his nose into it—not in that way, or at that time.

Faringdon sailed along, handling his matter well. He made a good deal of several cases which we had not considered particularly good for him, but I did

not see what he was driving at until the judge inquired:

"Do you say, then, that although the doctrine of *sui generis* is generally applicable, it is not universally so?"

"Yes, my lord."

"I do not wish to throw you out in your argument," said the judge, "but can you give me, now, an idea as to what the line of demarcation is?"

"I am about to do so, my lord," replied Faringdon. He stated it, and it seemed to me astonishingly ingenious. Briefly, he argued that in applying the doctrine of *sui generis*, it was legitimate, even necessary, to consider how the words to which it was proposed to apply it came to be where they were. He contended that *sui generis* had been applied in this way; it was for that reason that he had dwelt on the cases we had thought almost valueless for him. He proceeded to show how the words "opium, laudanum, or any other kind of goods" came to be in the Act cited in the proclamation. He traced the source of them, through previous Acts, back to an Act of Charles II., where, lo and behold, all sorts of things might have been prohibited as to importation by an Order in Council. He claimed that, therefore, when Parliament authorised the words "or any other goods" in the Act of 1873, it was intended that they should mean "any other goods of the kinds which have previously been prohibited in the same manner." If that were so, it was perfectly in order for musical instruments to be prohibited.

I should have been distinctly unhappy if Morry's

pencil had not kept on with its tune. He told me at luncheon that it was all right so far.

When we resumed there was a discussion between Faringdon and the judge. It seemed that the judge found difficulty in accepting his theory of the applicability of *sui generis*. The discussion terminated in Faringdon's remarking:

"I must leave it with your lordship. My second submission is that the proclamation would be valid if no Act were cited at all."

Morry's pencil stopped dead.

"The Crown is competent to issue it in any case, and it has all the force of law," pursued Faringdon smoothly, "as I shall proceed to show your lordship."

He proceeded. At first I was simply staggered. The idea that the Crown, in a constitutional country, could legislate off its own bat, was so new to me that I could not believe it. But Faringdon showed that it was so in regard to some matters. It was universally admitted, he argued, that the Crown had what are called "residuary powers," that wherever the competency of the Crown was not limited, the Crown was free to take action.

"Yes, I follow you there," said the judge, "but do you say that the Crown is competent to prohibit the importation of goods?"

"No, my lord," rejoined Faringdon. "I regret that I have not made myself clear. The Crown has undoubtedly surrendered the power to *prohibit* the importation of goods. But it has never surrendered the right to direct that the importation of certain kinds of goods shall be permissible only under

licence, or to attach conditions to the granting of such licences. As I shall show your lordship."

"Just a moment, Mr. Attorney," said the judge. "Let me have this clear. You say that the Crown is competent to limit the importation of goods by way of licence?"

"Yes, my lord."

"Any kind of goods?"

"Any kind of goods whatsoever," replied the Attorney-General confidently.

"Even things necessary for life—wheat, for instance?"

I laughed to myself. It was just like Manley to shear through Faringdon's word-spinning with a stroke of common sense. For, of course, no one could say——

"Yes, my lord."

What! Our very daily bread, in theory at any rate, at the mercy of the Crown!

But the judge seemed to take the idea seriously.

"You also say that the Crown can attach any conditions it pleases to the granting of such licences?"

"Yes, my lord."

"Then . . . is there no limitation to this power?"

The Attorney-General hesitated for a moment. "It is to be presumed that the Crown will act reasonably," he suggested.

"Where do you find that?"

They discussed the point. The judge did not accept the attorney's suggestion that such a limitation was to be presumed.

"Your argument seems to me to be this. In so

far as the Crown has not surrendered a power, it can use it. It has never surrendered this. Supposing that to be so, has this power ever been limited? Because, if not, it must be unlimited."

It was evident that he thought this a difficulty. Unlimited powers are a tall order in a constitutional country. Faringdon reflected.

"Statute of Monopolies," supplied Morry comfortably, and I became aware that Morry's pencil was beating a new tune. Like "Things-Go-Well," it had three beats to it; but the last was cut in two, giving a jigging effect. This bewildered me.

"Er—yes," said the Attorney-General; "I should say that the issue of a licence to one person only, or even to a few persons, and the refusal of licences to others, would come into conflict with the Statute of Monopolies. I think that constitutes such a limitation as your lordship is seeking.—Thank you," rather stiffly, to Morry.

"You might go further," said Morry amiably. "You might say, I think, that licences must be issued to everybody on the same conditions."

"Thank you very much," said the attorney cordially.—To the judge: "I think that is so."

I was lost. Why was Morry assisting Faringdon?

He did it again. In the course of another discussion, the judge remarked that the imposition of fees was in effect a tax.

"It may be so," said the Attorney-General hardily.

"But you know, Mr. Attorney, the Crown cannot of its proper power levy taxes," expostulated the judge.

"It cannot levy taxes as such," replied the ingenious attorney. "The Crown surrendered the right to levy taxes without the consent of Parliament under the Statute of 1640, but there is nothing in the Statute which impinges on the power of the Crown to impose conditions in regard to licences for the importation of goods."

"In other words, there is a gap in the statute?"

"A hole, if I may so express it, my lord."

"Can you give me any instance in which this power of the Crown to levy taxes indirectly is used?"

The Attorney-General could not. He was prepared to show that there were "holes"—the word recurred—in other statutes limiting the power of the Crown in other ways, and that the Crown had thereafter used the remnant of power left to it; but he was unable to show that it had used this particular power.

The judge referred to the tenacity with which Parliament, especially the Lower House, has asserted its sole competence in matters of finance.

"It would help your argument, I think, if you could show that even this particular field has not been completely covered, because, undoubtedly, in a general way it has."

Faringdon leaned back with pursed lips.

"The Lord Chamberlain, who is a sort of superior domestic servant of the Sovereign, exacts fees for licencing plays which are in effect a tax," purred Morry, "but I do not recollect that he has ever been authorised by Parliament to do so."

The attorney was most grateful, and the judge said that he thought the instance was sound.

Where were we? I had known Morry to help the other side in regard to facts many a time, but this was the first occasion on which he had assisted an opponent to buttress the weak places in an argument. And, from that point on, the attorney built up his case with a logical force that reduced me to misery. All the time I was haunted by the bewildering beat of the pencil; it kept on with the new tune.

When the court rose we all went out at the same time, and in the gallery Farringdon said to Morry in his jaunty way:

"Well, Abramson! Have I surprised you?"

"Very much," replied Morry blandly.

"I thought I should. I hope to hear you on the matter."

We went to Morry's room. I noticed that Fiennes was thoughtful. When we got in, he said to Morry:

"Is there anything in this, do you think?"

"I have not time to discuss the case," replied Morry calmly. "I must go down to the House as early as I can, and I have several things to do first. I am going to leave *sui generis* to you. I think the judge is inclined to be with us there, but in any case you can do it better than I. You know all about it."

Nothing else was said. I had been expecting orders, detailed instructions such as I had many a time known Morry to give to his juniors when he had heard the other side. Not a hint was vouchsafed me.

I spent a wretched evening. For the first time—I am utterly ashamed to own it—I contemplated the consequences of failure. I had never considered

them before because Morry's opinion that the proclamation was bad had disposed of uncertainty for me. No doubt he had been right as to *sui generis;* I thought we were fairly safe as to that. But what good would it be if Faringdon were right as to the prerogative? I knew that I was nothing of an authority on matters of law—the law in itself had always been beyond me—but I had had a good deal of experience in estimating the value of an argument, and it seemed to me that Faringdon's case was almost unanswerable. It loomed up in my mind all that evening like a huge wall.

And if it were not answered, it would cost Bill Nixon——

When I admitted to Bill that he might possibly be let in for five hundred pounds in costs, I was envisaging, not a judgment against him, but a possibility which should always be borne in mind by litigants with the Crown—that even if they win they may be left to pay their own costs, because the Crown has all sorts of convenient privileges tucked away which can be and are pleaded at times by those who act in its name. I had thought myself mighty prudent in remembering that. Prudent! I never took into account the possibility that Bill might lose his case and be made liable for the Crown costs.

I went to bed late, but even then I could not stop trying to estimate how much Bill would have to pay if we lost. I had little knowledge of such matters to go on, but I could not make it less than fifteen hundred pounds, and it seemed more probable that it would be two thousand. Possibly three. And I was

responsible. Until I came along Regent Street, Bill had taken for granted that if the Customs people said it was right, it must be right. I had put it into his obstinate British head that it might not be right, and when I found myself faced with the proclamation and thought it was right, instead of admitting that I had been mistaken, out of silly pride I had temporised, paraded my twopenny-halfpenny knowledge. From that point I had been the mover in the matter.

It was another instance of my impulsiveness in business matters, my inability to take heed at the right time. I had known of my defect for many years, had resolved over and over again not to take any decisive step in regard to my affairs without obtaining the best advice available; yet, again and again, I had blundered. Now I had crowned my blunders by advising another.

I resolved and dismissed various fantastic schemes for making up part of his loss to Bill secretly, and was grovelling in self-abasement, scorched from head to foot with shame, when into my mind there flashed a moving picture of the pencil as I had seen it throughout the afternoon: simultaneously came the conviction that whatever the new beat might mean exactly, it did not mean that things had gone wrong. It was quick; all the unfavourable beats were slow. Absurd as it may seem, this banished my fears. Never had the pencil failed me—never once, when after Morry had heard his opponent's case it had tapped out "Things-Go-Well," had things gone wrong. There was Macdonough still to come, but I was not afraid of him. I fell asleep instantly, and went down to the

Temple next morning in a cheerful frame of mind. Marratt was up at Morry's chambers.

"Well, what did you think of the Attorney-General's law?"

"Rotten," said I boldly.

He looked surprised. "Fiennes doesn't think so."

"Then Fiennes is going to learn something." I was as blithe that morning as I had been despondent during the night. I trusted in my tower.

The tower seemed to be in a good humour, too, when it arrived, rather late, laden in its usual fashion —the car must have been half full of books and bags of papers. The tower said, in an absent-minded tone, while it was glancing over some letters:

"Ah, yes! The 'Attorney-General *versus* Nixon' this morning, isn't it? We shall finish that by lunch-time, I think."

"Finish by lunch-time?"

"Er, yes. Unless Macdonough takes over an hour. I don't see why he should. I shall not have very much to say. The judge is with us on *sui generis*, Dick."

"Yes, you said so."

"Well, do we go over?"

We went over. Morry talked about a play.

Macdonough began by poking fun at us. "We say, here is an Act of Parliament clearly authorising us to prohibit the importation of any kind of goods. It says so. The other side say, 'Yes—*sui generis*,' and sit up and look satisfied as if they had flattened us out completely. *Sui generis!* What is it? A race-horse? The name of a lady? Or is it invoked as

some kind of all-powerful Arabian djinn?" Then he fell to in his heavy fashion on the law of the matter. I was not perturbed.

Just before he sat down the Attorney-General came in. He nodded jauntily to Morry, seeming to imply that he had come into court for the pleasure of hearing him. He may have done so.

The case for the Crown concluded, Morry did not get up at once. He talked to Fiennes for some minutes in a negligent style. What about, I don't know. The court waited. When he got up, it was with his most easy-going air.

"The learned Attorney-General," he began in a bantering tone, "propounded, in the course of yesterday, a constitutional principle which for me has all the charm of novelty. My knowledge of jurisprudence is so limited that I do not even know in what country this principle may obtain. I suppose that it may obtain in Barataria; or in Ruritania; or, possibly, only in Upside-Downia. I do not know. But this I submit with confidence"—his voice rang out like a trumpet—"it does not form part, it never has formed part, and it never could form part of the jurisprudence of this country."

He resumed the bantering tone for a moment. "Where does the learned attorney profess to find this principle? In mouseholes!"

He uttered the last two words with such energy of scorn that they seemed to shake the court—as, in another sense, the phrase did cause the court to shake. There was a general titter, and the judge bent his head down to hide a smile.

"The learned attorney professes to find a mouse-hole in this Act of Parliament, and another mouse-hole in that. Some of these holes are not of sufficient capacity to accommodate even a mouse; they might perhaps accommodate a worm. Others, as I hope to show to your lordship's satisfaction, are not really holes at all. They would not accommodate even an insect. The learned attorney put these holes together, and constructed, to his own satisfaction at least, a tunnel—an underground passage, if I may be permitted the adjective, large enough to accommodate the whole trainload of public right. Given the necessary impulsion, it might travel by this road to an unknown destination. If I may offer a suggestion, I would say that the station at which it would arrive would be Disintegration."

The play on the sound of the words was characteristically Morryish.

"What is this principle? With your lordship's permission, I will examine it. Stripped of unessentials, it is this: Fundamentally there is an absolute power—the power of the Crown. The learned attorney said, and the citizens of the United Kingdom may be glad to hear it, that in so far as the Crown had explicitly surrendered portions of this absolute power, it was thereby limited. The learned attorney condescended to say, that inasmuch as the Crown surrendered, in the reign of Charles I., the right to levy taxes without the consent of Parliament, the Crown could not now impose taxes, as such, without that consent.

"*As such!* The learned attorney was careful to

make the qualification, because it was necessary for his case to proceed to argue, as he did proceed to argue, that although the Crown could not of its proper power impose taxes as such, there was nothing to prevent it from imposing upon its subjects regulations which involved what was in effect a tax.

"*Surrender!* You cannot surrender what you have not got. What! Does the learned attorney seriously contend that the right of the subject to resist demands made upon him by the Crown for money, when the demand has not been authorised by Parliament, depends upon the Statute of 1640? Is it possible that the learned attorney's memory, notoriously infallible, has made a slip?"

I wished that he had spared Faringdon the jibe. He was referring, of course, to the Attorney-General's blunder in connection with "Hunt *versus* Devine." It was quite in order for Morry to rag him about it now, if he liked, but I thought he might have spared him, cordiality having been restored between them after the gratuitous insult of the day before.

"It must be so. With your lordship's permission, I will refresh the learned attorney's memory. What happened in 1640 was that the Crown renounced a pretension. The statute to which he refers was passed to annul a decision of the Court of Star Chamber three years before, in the case of the 'Crown *versus* Hampden.' That was a majority decision, and Parliament declared, as Parliament was competent to do, that it was wrong. The true view in the 'Crown *versus* Hampden' had been stated at the time by judges who were in a minority—Croke, Hutton, Den-

ham, Bramston, and Davenport—predecessors of your lordship's," he added in his most courtly tone to the judge. I think the judge appreciated the subtle compliment. "Parliament declared that to be so. And the true view was this." In his deep voice, and with a slower utterance, he recited: " 'It is utterly contrary to law to set any charge whatever upon the subject except in Parliament,' " and turned on the Attorney-General, with a tone of intense scorn: "What has 'as such' to do with that?"

He had evoked the dead generations—the sturdy, stubborn men who resisted tyrant king and robber baron, would have it that what was theirs was their own. And here was Bill Nixon, their descendant, cheerfully standing up for his right to his box of toys. I was proud of Bill, but I was prouder still of Morry. He, the man of alien blood, was justifying his claim to a share in the common heritage of the English-born.

"The same is true as to restraints imposed by the king's servants upon the king's subjects, or the conditions attached to such restraints. In so far as they are authorised in Parliament, they are lawful; but not otherwise. The right of a subject of the king to bring goods into the country does not depend upon the king's pleasure. It is limited; it always has been limited, and the limitations have varied from time to time. Over a period of several hundred years, the limitations were gradually increased. Then, in the middle of the last century, they were all swept away, with a few exceptions. The Act of 1856 restored to the subject all but a small part of his freedom to

bring into the country whatever he liked. He cannot now be deprived of jot or tittle of that freedom save by Parliament—not of the king's proper power, or by the king in council." He used the hammer with terrific effect. "By Parliament—and *nothing else*.

"That is the law of England."

He had driven his hammer clean through Faringdon's wall. I could see daylight now.

"With your lordship's permission, I will defer the citation of my authorities for that view until I have examined in detail the learned attorney's mouse-holes."

The judge kept his face this time. He bowed graciously.

Morry's manner became passionless, and ice-cold. He took Faringdon's points, one by one, and examined them. His lucidity almost made one shiver. He showed that there was no general principle to be deduced. On the contrary——

He began to quote cases. Where had he got his precedents from? I was the last person who should have asked that question, because I was the person who should best have been able to answer it; but as Morry had given me no hint of the line he intended to take in reply to Faringdon, I had done nothing. And he had gone to the House of Commons——

The judge asked for a reference—that is, for the number of the volume, and the page, in the Law Reports in which the judgment Morry was quoting was to be found. As the volumes are many, references are indispensable.

"I regret that I have not made a note of it," replied

Morry in his courtly style. "But I think your lordship will find it in"—he named a volume—"somewhere about page . . ."

He was relying on his memory—performing an almost impossible feat. But why? He could have set me to work the evening before—Marratt, too, for that matter.

A little later the judge put the same question again. "Have you that reference, Sir Maurice?"

"No, my lord. I have not had time since yesterday to prepare myself. The learned attorney's argument was novel to me, and I must ask your lordship's indulgence in doing the best I can."—Was there a ghost of a smile on the earnest judicial countenance?—"Mr. Youatt, who is with me, will send your lordship a note to-night of all these references."

Faringdon had turned his head; he was eyeing Morry, and now I knew the motive of Morry's *tour de force.* He was looking apologetically at the judge, but plain as the big nose on his face was another look which said to Faringdon: "Yes, I am the master, not only in my particular branches of the game, but in yours—when I choose."

He went on. Then, although he had arranged with Fiennes to leave *sui generis* to him, he began on Faringdon's version of it.

"The learned attorney did not rest his case entirely on that. Why, I don't know. If his doctrine were sound, it would dispose of the issue before the court. He opened, however, with a disquisition on the doctrine of *sui generis.* He propounded a theory as to the correct method of applying it. The members of

the bar ought to be grateful to him, as well as the honourable body of solicitors. It is now so light a task to construe Acts of Parliament that, notoriously, we have scarcely anything to do. The learned attorney's theory, once sanctioned by your lordship, would provide us with plenty to do. In construing an Act of Parliament, we should have to consider, not merely what the Parliament which passed the Act thought it meant, but what all the preceding Parliaments thought similar Acts which they had passed meant. We should have to burrow——"

He thundered the last word.

"——into the past. The learned attorney is a member of Parliament. Has he ever, when considering whether or not he ought to vote for a clause, considered, looked up, the source from which the draughtsman who drew the clause derived his words? Moreover, it is common knowledge that draughtsmen, when drawing a bill, prefer, when they can find them, to use exactly the same words as have been used before to express the same meaning. Very rightly. If it had been the case, that the words which we find in the Act of 1873—the relevant words in clause twenty-nine—were found in previous Acts, the learned attorney might have contended, with some force, that they were intended to bear the same meaning.

"But that is not the case. The learned attorney referred the court first to the Act of 1856. There, he found closely similar words. He then glided, almost imperceptibly, over the Act of 1847 to the Act of 1823. Why did the learned attorney soar over the

Act of 1847, scarcely touching it as he passed? I suggest, because the words in the Act of 1856, the source of which the learned attorney professed to trace in the Act of 1847, are not the same. They are so far from being the same that they cannot possibly have been intended to bear the same meaning."

Macdonough said incautiously: "The Commissioners of Customs thought they meant the same," and Morry turned on him like a viper.

"The Commissioners of Customs! What shall we have next? Is it part of the case for the Crown that the King may make the law, or the Privy Council may make the law, or Commissioners may make the law—anybody, except Parliament? Really, I am at a loss to meet such contentions seriously."

The judge interposed on Macdonough's behalf. "I don't think the Solicitor-General's remark was intended to bear the construction you are putting on it, Sir Maurice."

Morry, undeterred: "Then, what did it mean? Why did the learned solicitor refer to the Commissioners?"

The Solicitor-General, shortly: "You said that the relevant words in the Act of 1856 could not have been intended to mean the same thing as the corresponding words in the Act of 1847. I said that the Commissioners of Customs thought they did, and there is evidence to that effect."

Morry, sitting down abruptly: "Produce it."

The Solicitor-General, explanatorily, to the judge: "I did not mean that it was evidence which could be produced in court, my lord. But, as a matter of

fact, there is a letter, in the possession of the Treasury, from the Clerk of the Board of Customs at the time, in reference to those words, saying that in the opinion of the Commissioners they mean substantially the same thing as the corresponding words in the Act of 1847."

The judge, graciously: "I am afraid it is without force, Mr. Solicitor."

The Solicitor-General: "Oh, quite, my lord."

The judge: "Will you go on, Sir Maurice?"

Morry, rising: "I will, my lord. But I find a difficulty in realising where I am. Am I in a court of law? Am I interrupted in the course of a serious argument by having the opinion of a clerk flung at my head? What authority will be quoted next? The charwoman at the Board of Trade, perhaps; we shall hear her view as to the validity of the proclamation."

Having relieved his feelings with this jibe, he followed the Attorney-General's argument closely, back to the Act of 1681. He showed, as indeed the Attorney-General had shown, that the words in the Act of 1681 were capable of bearing quite a different meaning from the words in the Act of 1873. He resumed his jibing tone:

"It comes to this. The learned attorney puts a rabbit into his hat—the words of the Act of 1873. He makes a few passes, and produces from his hat a goldfish—the words of the Act of 1681—and says to the court: 'The same thing.' But it is not the same thing. The point of the trick is that it is not the same thing. If it were the same thing, there would be no

object in the trick. But it takes an Attorney-General —or a conjurer—to turn one thing into another."

The judge, quietly: "I don't think you should have made that comparison, Sir Maurice."

Morry, with shameless perfunctoriness: "As your lordship pleases. I withdraw it." He drove his argument home in a few pithy sentences. Words in an Act of Parliament mean what they obviously mean when construed according to the rules. If the meaning is not then clear—if there is ambiguity—it may be necessary to consider what the Parliament which passed the Act probably intended the words to mean. In the clause at issue there was no ambiguity. The meaning was obvious to anyone who had knowledge of the principles on which documents are always construed. But if there had been ambiguity, and it had therefore been necessary to ask: "What did the Parliament which passed this Act probably intend by these words?" the answer must have been that they meant what we contended they meant—because, that Parliament was the first Free Trade Parliament, and it could not be supposed that it would say in one clause, "The ports of this country are to be open for the importation of all kinds of merchandise whatsoever," and in another that the King in council might prohibit whatever he liked.

Then Morry began on Macdonough.

"I ventured to hazard two or three guesses, in regard to the constitutional principle propounded by the learned attorney, as to the country from which he might have derived it. In respect of the doctrine propounded by the learned solicitor, in the speech

to which we have just listened, I can make no such guess at all. He must have found his doctrine in some realm of fancy which only a sprightly spirit may enter."

There was a subdued titter. By this time the court was crowded with lawyers. The point involved in the case had been a good deal discussed in legal circles, and, I suppose, word had gone round the buildings that Abramson was making a killing. The wigs had come to enjoy themselves, and Morry was playing to his gallery.

"Perhaps," he went on gazing pensively at the roof, "the learned solicitor acquired it in the aëry spaces inhabited by the djinns to whom he alluded. It has, to me, the aspect of a doctrine begotten of a djinn."

There is no difference in pronounciation between "djinn" and "gin." The titter broke out openly, and the judge frowned.

"According to this doctrine, if I understand it—perhaps I do not; it may be too rare, too refined, for a dull intellect like mine to apprehend—but if I understand it, there are no rules as to the construction of legal documents at all. When I was a law student I was taught that there were such rules, that there was what may be called a canon of interpretation. According to the learned solicitor, if I take him rightly, that is not so, and the meaning of words depends on the taste and fancy of the construer. Now suppose someone claimed ten pounds from the learned solicitor on grounds which the learned solicitor considered insufficient. The learned solicitor, despite his

accommodating nature, might refuse to admit the claim. He might, even, though it is almost inconceivable, be annoyed at its being made. He might write back and say: 'I will see you further before I pay you the ten pounds.' Very well. The claimant, adopting the learned solicitor's doctrine as to the latitude permissible in the interpretation of documents, might contrive an interview, and then sue the learned solicitor on the letter as a promissory note."

The judge expostulated. "Really, Sir Maurice!"

"Yes, really, my lord," rejoined the unabashed Morry. "I will show your lordship that the learned solicitor's doctrine amounts to precisely that."

He did it. And all the time he was doing it he was also levelling taunts against Macdonough. He made him ridiculous, at the same time as he made his law ridiculous, and the judge did not like it. I think he had rather enjoyed Morry's ragging of Faringdon, because, as I imagine, he too privately thought Faringdon a bit of a windbag despite his undoubted abilities. But Morry overdid it in the way of bitterness with regard to Macdonough. He was too personal. "The *learned* solicitor," he kept saying, and every time he bit the adjective. Once or twice I had thought the judge was going to reprove him before, after a particularly scarifying passage, Sir Thomas looked up and said:

"Draw your illustrations from other sources, Sir Maurice. Personalities are best avoided."

Morry was pulled up for the second time, and for the second time he coolly disregarded the fact. "As your lordship pleases. I suppose"—he appeared

to reflect—"I suppose I was misled by the idea that an argument can sometimes be brought home most forcibly by an illustration which has a personal element."

"It is not necessary for you to convince the attorney and the solicitor that you are right," said the judge. "You have only to convince me."

Macdonough muttered: "He can't teach me my business."

"If the task devolved upon me," retorted Morry sweetly, "I should embark upon it with no light heart."

Except that some fool at the back burst into a guffaw and then choked it, there was an awestruck silence.

"Various incidents in this trial," came from the bench in quietly earnest tones, "have betrayed a regrettable state of feeling between counsel. I have refrained from comment up to now because I feared to exacerbate that state of feeling. But when you made your last remark, Sir Maurice, you were wanting in respect for me."

I thought it the most impressive rebuke I had ever heard administered in a court of justice. A worthy judge.

Morry faced him with an equal dignity. "It was not out of want of respect for your lordship that I made it, and I venture to believe your lordship knows that. But your lordship is right. It was disrespectful to make it. I apologise to your lordship." The judge nodded. Morry turned with even greater dignity to Macdonough. "I apologise to you, Sir Brian."

Macdonough took no notice. Morry fell into the passionless manner, and in the next ten minutes tore what was left of Macdonough's argument to tatters. So much so, that the judge said:

"You need not pursue the point, Sir Maurice. Subject to what may be said in reply, I am with you as to that."

"I thank your lordship," replied Morry, and sat down instanter.

The Attorney-General rose and walked out. Fiennes got up and began to give them the straight doctrine of *sui generis*.

As I said, during Morry's speech the court had filled with members of the bar. Now I heard a well-known K.C. behind me say drily to his neighbour: "I don't think Manley needs this. What is left of the Crown case would not fill a pill-box."

That was precisely the effect Morry had produced. He had not merely answered the other side's case; he had destroyed it.

Macdonough replied for the Crown. He was very angry, and made a savage attack on Morry for the way in which he had behaved. The judge looked unhappy, but Morry was not listening; he was reading something, and by the back of his head I knew that he was reading attentively.

Judgment was reserved, as it always is in such cases, because, unless it is reversed on appeal, it will be law for ever—a beacon for the generations to come. Therefore, every word must be meticulously weighed. (It was delivered ten days later, and a finer pronouncement is not to be found in the Law

Reports. The last paragraph ran: "I therefore find that His Majesty had no power to make the proclamation in question, and I declare it to be of no effect."—Some lads, the English judges!)

As we came out of court Morry turned to Bill and said:

"You are all right, Mr. Nixon. The judge is for us. I do not think there will be any appeal." He went away.

"There!" said the triumphant Bill. "What did I tell you, you blushing kangaroo? Come and split a bottle."

I went to Regent's Park that evening for dinner. There was no one in the hall when I arrived. Presently Jess came down.

"How did your case go?"

"We think we've won."

"Was Maurice good?"

"He was a very good dog to-day, but he was a bad little dog yesterday morning. He lost his head and yapped when he hadn't ought."

"Oh! What made him do that?"

Morry was coming downstairs.

"Better ask him."

"Maurice, what made you lose your temper yesterday in court?"

Morry looked at me.

"Advocacy!" I growled, in the best imitation I could muster of his tone.

"You thought that was loss of temper?"

I said I did.

"Perhaps you were right to some extent. But I

had to take the chance that presented itself to me. My object was to prevent the judge from forgetting Faringdon's blunder."

I suppose I looked mystified.

"Don't you understand the position? Faringdon knew, of course, that what the Board of Trade people had done was indefensible. No doubt he told them, when the matter was first brought to his notice, that they and their previous advisers were a pack of fools. But he had to defend them. That was his duty."

I said that was what he was a Law Officer for.

"Precisely. And he had just one chance—to obfuscate the judge. He would not have succeeded on his argument. Manley is far too sturdy a fellow, and too sound in his law, to be taken in by such moonshine as Faringdon talked. But I did not know, at the outset, what line Faringdon was going to take. He might have hit on something much better than that nonsense about the prerogative, something that Manley would have had to consider seriously. If Manley had had to do so with the impression in his mind that Faringdon was a very clever fellow—the normal view of Faringdon, and on the whole the correct one—he might just possibly have slipped into thinking that Faringdon was infallible. So, when Faringdon made his slip, I—er—slashed out. And afterwards, I assisted Faringdon, because the more came from me, the more I should be the clever fellow in the judge's eyes."

"Confound you!" I said to myself. "Shall I never get to the end of your clever tricks?" Aloud I

asked him: "Why were you angry with Faringdon?"

Morry regarded me in his fixed fashion. "Surely you know what the game was—the game to which Faringdon and Macdonough lent themselves?"

I said I didn't.

"To deprive your friend of justice by delaying it. The Board of Trade wanted the trial put off until the summer. They have prepared a bill, which will be introduced and presumably passed, legalising the prohibition of imports by proclamation. If they could have delayed the trial until it becomes an act, it would not have been worth your friend's while to go on with his case."

"In other words, the bureaucrats, finding themselves in the wrong, mean to swing the law so as to put themselves in the right—Russian fashion. Only, not being Russian bureaucrats, they need time to do the swinging in."

"That is one way of putting it. When Faringdon learned that I was going to help Fiennes at the trial, he thought I had got up the case because the gang in power have slighted me. That was why he called me a troublesome fellow yesterday. I was troublesome because, as he supposed, I had deliberately put a spoke in their political wheel. I admit that I was annoyed by the remark, and perhaps it led me to hit out harder than I should otherwise have done. But that kind of mixture of law and politics does vex me, Dick. Faringdon and Macdonough ought not to have stooped to such trickery as the attempts to evade the issue. They ought to have said to the Board of Trade people: 'We will appear and do our

best for you, but we will not help you to play a dirty game.' "

So that was why Morry had come into the case! I had been vain enough to suppose that it was for my sake. Remembering the application to the Court of Chancery, when Garavan tried to "abuse the process of the court," I saw now what had happened. Faringdon and Macdonough had tampered with Morry's Shekinah when they tried to substitute the miasma of pettifoggery for the radiant cloud of justice: and the thunder and the lightnings awoke in Morry as they awoke on Sinai of old when the tables of the law were graven. The extra little jiggle of the pencil was Chaldean. "Mine enemies have delivered themselves into my hand," said the pencil, and the pencil was untroubled by any qualm as to the obligation to mercy. Morry went forth and slew his enemies utterly.

He went down to the House after dinner, and Jess and I sat over the fire and talked. She told me the other side of the story.

"Maurice hesitated for a long time. He saw how anxious you were that your friend should win his case, and wished to help you. But he felt that for him to show up would be tantamount to a declaration of war." She mentioned names. "They won't forgive him, you know. They will ruin him politically if they can. I suppose that was why he went for Faringdon and Macdonough to-day as savagely as you say he did—on the principle of being hanged for a sheep —though why anyone should prefer mutton to lamb I can't imagine," interpolated Jess characteristically.

"But he will have to pay for it, and he knows it, and doesn't like it. He has been ambitious to go farther in politics rather than in the law. Now—as he thinks—he may have to give politics up."

Then I saw what I had done. Unknowingly, I had brought Morry to his Rubicon, to the test which comes to every man at least once in his life, when he must choose between the captaincy of his soul and the loaves and fishes. The new propaganda in the party had thrown Morry out of his stride, and it might have been said loosely that the question of resignation was his Rubicon. But more than merely standing aside is implied in the crossing of the fateful stream. When Cæsar set his foot on the further bank, it was the gage of battle to his former masters. Morry had been waiting for a conjunction of events which would enable him to resume his place as an army leader. I had come along with the problem of Bill Nixon and his silly little squeakers. Morry had seen what might happen if he lent his help, and would probably never have shown up at all if the bureaucrats and their tools had refrained from profaning his Holy of Holies.

"It is such a pity that Maurice has not married," said Jess thoughtfully. "I wish he would, even now. The only regret I should have would be that then I could no longer repay him in a measure for his kindness and generosity. He has settled an income on me, you know. I could afford to live by myself and do what is still needed for my big chicks."

I went home in a sober mood. How often the inner side of a man's life is in complete contrast with

the surface he presents to the world! Not long before Morry resigned, a journalist with a singular ability for thumb-nail biography had treated his as a history of personal popularity. "Sir Maurice Abramson never fails to get what he wants because he never quarrels with anybody." It had struck me then that in spite of the popularity on which the Fleet-Streeter laid so much emphasis, Morry was a lonely man. We walk through life in a lit circle that moves as we move; the figures of those with whom our daily business brings us in contact may only flit half-seen round the edges, but for most of us friends walk within the circle, now one, now another. Morry had always walked alone. He said, and I had other reasons for believing it, that I was his most intimate personal friend; yet, even to me, he never dropped his guard.

He had sacrificed his chance of happiness to his ambitions: was Fate, in her ironic fashion, going to cheat him of his reward?

CHAPTER XIV

The Secret of the Dusk

I was shocked to learn from the Exchange telegrams posted at the club that Sir Dominic Scaferlati had been found dead in his car on its arrival at Borlington Towers the previous evening.

Mrs. Riordan had died twelve months before. I had been at the Towers since, and had made the acquaintance of Anthony Scaferlati, Sir Dominic's grand-nephew, a likeable young fellow. He talked to me about motor-cars, referring to several inventions of which I had never heard; there was a note of regret in some of these references, especially those to the "Gearless Car." I gathered that he had been in business on his own account for some time, and was about to rejoin the firm. Elena, now eighteen, had improved in some ways, but Nesta said she was still liable to fits of malevolence. Sir Dominic seemed shrunken and enfeebled.

I had seen them all again within the last month, except the old gentleman: Nesta invited me to tea one day when she was bringing Elena to town, and young Scaferlati was there. Sir Dominic was then just back from Milan: there had been a strike at the works, and he had gone to the assistance of his nephew Ernest, his appearance being the signal for a fresh outburst of socialistic attacks on him; his life had even been attempted.

Now his life was over. I went to the telephone room and asked the operator to get me the Towers.

There was a long delay.

The operator held converse with someone hidden in the invisibility beyond the mouthpiece. "What?" "Mayfair 1." "Yes." "Yes." "His name?" She glanced at me. "Mr. Richard Youatt. Y-o-u-a-t-t. Try to hurry them up, please."

She turned with a smile. "Funny. Trunks wanted to know your name."

It was certainly unusual.

Eventually I found myself speaking to Sir Dominic's secretary.

"I am very sorry to learn what has happened, Mr. Sugden. May I speak to Mrs. Mack?"

"She is not here. She had to leave us a week ago."

"Leave you? Do you mean that she did not intend to come back?"

"Oh, no! As far as I am aware she certainly meant to come back. It was only that a relative was suddenly taken ill—her aunt, the Countess of Wrenford."

Aunt Betsey ill! What on earth——

"I wish Mrs. Mack were here now," concluded Sugden with fervour.

"Is she at Markhamsted Hall, then?"

"I presume so. Her letters are being sent there."

I hung up, asked for St. Albans 20, and a few minutes later was talking to Aunt Betsey's maid. Aunt Betsey was in her usual health, and Nesta had not been there.

"We were expecting her to-day, Mr. Richard. But

there was a telegram this morning to say she would not arrive until to-morrow."

"Where was the telegram from?"

"I don't know, sir. Shall I ask her ladyship?"

"Please."

An interval while Mrs. Marsland, a brevet "Mrs." by reason of long service, trots off to Aunt Betsey and returns.

"Hammersmith, sir. Her ladyship had a letter last week from some address in Hammersmith, but has not kept it."

It had occurred to me that Nesta might be with Mrs. Mountjoy. I suspected that there had been trouble before she left the Towers, though Sugden evidently knew nothing of it.

I rang up Mrs. Mountjoy's flat. Nesta answered.

"Dick speaking. Have you heard the news about Sir Dominic?"

"No. What news? How did you know I was here?"

"Marsland. The news is bad." I told her what it was.

After a time, she said: "It must have been his heart. Oh, poor Elena!"

"Can I do anything for you?"

"No, I don't think so. I will get through on the telephone, and see if Elena will let me come and stay with her."

The first thing I saw on opening my paper next morning was that when the car arrived Sir Dominic's neck was broken. "The circumstances point to death by violence, but the affair is at present a mystery."

Even in my dismay I could not help noticing the irony of the cautious phraseology. When a man's neck is broken, the circumstances may certainly be said to "point to death by violence." I read on. At the end of a half-column eulogy of the dead man's services to industry and art was an allusion to his recent visit to Milan.

I began to think. His life had been attempted there. Why not here? I also reflected that the delay in getting the Towers the night before was accounted for; the police had been listening in.

I rang up Mrs. Mountjoy. She told me that Nesta had gone to Borlington.

The inquest resulted in a verdict of murder by some person or persons unknown. Sir Dominic had gone on the Sunday afternoon to visit his friend Lord Thurton at Plumpsfield, twenty-four miles away. He left there a little before six. Sugden deposed to finding his body in the car on its arrival at Borlington. He did not think that a robbery had been committed. There was no sign of a struggle. Perrin, the chauffeur, said that on the return journey the engine failed just outside Storborough, ten miles from the Towers. He got down, investigated, and found that the feed-pipe from the petrol-tank to the carburettor was blocked. The piece of wire which he usually carried in his locker was not there, so, after explaining matters to Sir Dominic, he walked into Storborough and procured a piece from the blacksmith. There was no one about either when he left or when he returned. He removed the obstruction in the feed-pipe, and went on. He "thought he saw" Sir Domi-

nic sitting up in the car when he came back to it, and was positive that he saw him later, just before they passed Storborough church. He also said, in reply to a question from the coroner, that he was certain no one boarded the car while it was running.

An inspector of police was called next. He said that information in the possession of the police confirmed the evidence of the last witness. This puzzled me, because Perrin's evidence was contradictory. If the car did not stop anywhere else, and no one boarded it while it was running, Sir Dominic must have been murdered while it was standing outside Storborough, and Perrin could not have seen him alive after. I remembered Perrin—he had driven me to and from the station—as a quiet fellow, civil-mannered without servility. Nesta had spoken highly of him.

The next day a Press campaign began. Several recent murders had not been cleared up, and the wealth and position of this new victim ensured an appetite on the part of the public. It was taken for granted that Sir Dominic had been murdered while Perrin was away, and the suggestions were that the crime had been committed by Communist emissaries from Italy; by a passing tramp, frightened into hiding by Perrin's return before he had time to rob; or by a gang, as the result of a plot; or by some angry picture dealer, an attempted fraud on whose part Sir Dominic had prevented.

The door-bell rang. I went to the door. Nesta stood outside.

"Come in."

It was dark in the hall. We went into the sitting-room. Then I saw that her face was white and drawn, as if she had not slept all night, and that there was a queer flicker in her eyes.

"When did you leave Borlington?"

"This morning. I have just arrived."

"Had any breakfast?"

"I had something before I left."

By this I knew she hadn't. I rang the bell, and ordered some tea and toast and a boiled egg I forbore to question her, even when she sat on in silence after she had finished the little meal. Suddenly she blurted out:

"I have been accused of having a hand in the murder."

I was startled.

"By whom?"

"Elena."

I recovered myself.

"But, my dear girl, you know what she is——"

"The police have got the idea too. They questioned me on Tuesday in a general way. I thought nothing of that. But yesterday they came again, and it was clear that they suspected me. They even wanted to know where I was on Sunday."

I laughed. "Good old county constabulary! Why, what possible motive could you have for anything so abominable?"

"More than you know of. I want to tell you."

I did not take this very seriously, but it was evident that she did. "Go on."

"After Pat died, Sir Dominic offered to marry me

because he thought it wouldn't be proper for me to stay on when there was no Pat to make things right in the eyes of Mrs. Grundy. I refused."

"Didn't he know that you were not free to marry?"

"Pat knew, so he would know, of course. But he would also know what you told me when Don remarried, that I could free myself whenever I chose."

"Quite so."

"He did not mention the matter to me again; but he sounded Elena about it, without telling her that he had already spoken to me. She was very much against it. In her eyes it was a ridiculous, almost improper notion. So, I suppose, Sir Dominic gave it up because he saw that it would create a breach between Elena and me. But he added a codicil to his will leaving me five thousand pounds. He told me of this in Leonard's presence. He did not hint that it was compensation, of course; he merely said that it would not affect any member of the family; all the difference it would make would be that the galleries would have less money to buy bad pictures with. Leonard was very kind about it, so I just thanked them both, and said I hoped it would be a long time before I received my legacy."

"Was Elena there?"

"No. Sir Dominic had not asked her to be present. By that I thought he wished me not to say anything about it. I still think that was what he wished."

"Probably it was."

"I believe all this trouble for me now would have been avoided if I had told her. Isn't it extraordinary how one does things from quite good motives and

people look on you as a criminal when it goes wrong?"

"That's only a fit of middle age attacking you."

Nesta smiled faintly. "Now as to why I left." Bright patches appeared in her cheeks. "You remember Tony, don't you?"

"Of course. I've seen him twice—the last time I was at the Towers, and when I had tea with you in Piccadilly."

"Did you know, when you were at the Towers, that he had not been in Sir Dominic's good books for some time?"

"No."

"We had not seen him since the Gearless Car Company went into liquidation. Sir Dominic was angry because Tony had incurred liabilities he could not meet. Tony tried to be independent; he said he would go bankrupt. That made Sir Dominic angrier still. It was silly of Tony to say it, because his name is Scaferlati, and of course Sir Dominic could not allow it to be dragged through the court. There was a bad quarrel. However, just before you came down I succeeded in making peace. I pointed out to Sir Dominic that it wasn't as if Tony got into debt through extravagance. He was simply over enthusiastic about motor-cars and new inventions. Sir Dominic said that was all very well, but Tony had thrown up a good position in the firm to go wild-goose chasing at his expense. I pleaded that Tony was only twenty-four, and finally Sir Dominic said: 'Very well, let him come back to the business. He shall do what he likes in reason, but he must settle down. I hope he

and Elena will marry.' I hadn't heard of that project before."

"Did Elena know of it?" I asked because of something I had observed at the tea-party.

"No. Sir Dominic told me to say nothing to her. He did not wish to force her at all."

"Was he forcing Tony?"

"Not exactly. Tony says now that he liked Elena all right, and he wasn't in love with anyone else then——"

"Oh!"

Nesta hurried on: "——so he didn't mind. Consequently he came frequently after that, and when I took Elena to town he generally met us. What happened wasn't my fault. But——"

"The boy fell in love with you."

"Dick!"

"I saw it at the Mimosa Tea Rooms."

"Honest Injun, I never knew until Elena attacked me about it. She had been queer with me before—I didn't know why at the time, but now I know it was because Sir Dominic had talked about marrying me. She had got over that, but when she saw that Tony was falling in love with me, her jealousy blazed up again. She put things together in her peculiar way, and made me out an adventuress."

Tears started in Nesta's eyes, and I realised how bitter her humiliation must have been. "Cheer up, old thing. It's a nightmare you are living through."

"I told her that I could not stay if she thought such things of me. But I was unwilling to be the cause of fresh trouble between Tony and Sir Dominic, and

I thought there might be trouble if she went to her grandfather with that tale. So I said, if she would promise not to tell Sir Dominic, I would make an excuse for leaving temporarily and not come back. It never occurred to me that if Sir Dominic had been told, and had taken the same view as Elena did—that I must have encouraged Tony—he might have cancelled my legacy. I did not think of that."

"You wouldn't. Is Elena in love with Tony?"

"No. She thinks she is in love with a boy who lives at Borlington.—She promised to say nothing to Sir Dominic, and I told a fib about Aunt Betsey being ill and departed. I meant to stay for a day or two with Alice, and then go to Markhamsted. I wanted to have a talk with Tony."

"Risky, wasn't it?"

"I had to put him on his guard. I could not leave him to go down to the Towers at the week-end in ignorance of what had happened."

That seemed reasonable.

"As soon as I told him I had left the Towers, he guessed why, and said all sorts of things about Elena —that she was a vile-tempered little cat, and he wouldn't have anything to do with her if she were the last woman in the world. And—he wanted me to marry him. I said that was out of the question."

"Naturally." I am afraid my tone was dry.

"Don't be sarcastic. I told him that the difference in our ages made it impossible, but you needn't be horrid about it."

"Get on to why you didn't go to Markhamsted."

"He persuaded me to stay in London over the end of the week."

I said nothing, but I suppose "You idiot!" must have been written on my face. Nesta whimpered.

"I can't go on if you are horrid, Dick. I know it was silly of me, but don't you see that the situation was difficult to handle? Tony thought I had been badly treated. He wanted to go to Sir Dominic and protest. That was just what I didn't want him to do, for his own sake. I had the greatest difficulty in pacifying him, and when he pleaded for just the rest of that week—the evenings, and Saturday afternoon, and Sunday—how could I refuse? He promised not to pester me about marrying him. He accepted the fact that we could never be anything but pals."

It was not difficult to guess what lay behind this. Since the separation from her nominal husband, Nesta must have had to limit herself strictly as to even the most innocent good times where men were concerned, just because she was a charming and attractive woman. Scaferlati was an honourable young fellow, and no doubt Nesta had been feeling woebegone at being uprooted again. It had been a mild escapade, with perhaps just a dash of feminine spite in it—justifiable, in view of Elena's dog-in-the-mangerishness.

"Did you see him every day, then?"

"Yes. And—on Sunday we went out in his car."

"What about it?"

"We went to Hensham."

Her interlocked hands were twisting backwards and

forwards, and the fear in her eyes leapt at me like a wolf. Hensham is only twenty miles from Storborough.

"What time did you leave?"

"Between five and six."

I was perturbed by the coincidence. "That would explain the police suspecting you."

"But they don't know."

"You said they asked where you were on the Sunday."

"I told them I didn't go out."

"Cockles! Whatever possessed you?"

"What else could I say? They mustn't know——"

Terror mastered her. She clung to my hand, begged me sobbingly to help her to get away and hide. It was some time before I could induce her to tell me what had happened.

Arriving at the Towers on the Monday evening, she had been received by Elena with tears and apologies. The girl had professed to be ashamed of her previous outbreak, had confessed that it was solely due to jealousy—jealousy, not on Scaferlati's account, but of a general kind.

"She said she had always envied me for my beauty and charm, she didn't care for Tony, I could marry him if I wanted to. I said I didn't want to. We were the best of friends until she learned that Sir Dominic had left me a legacy. Then she suddenly veered round again. I had deliberately concealed it from her; I had bluffed her into keeping from Sir Dominic the fact that Tony was in love with me for fear I should lose the money; I was madly in love with

Tony, and we knew that if Sir Dominic learned of it he would cut us out of his will—Tony is down for a hundred thousand: So we had bribed Perrin to keep us informed of his movements, waylaid him at Storborough, and killed him."

I thought at first that the diabolical ingenuity with which Elena had fitted the facts together had shaken Nesta's nerve; but I discovered that there was more to account for her collapse than that—the long days spent in court when her best friend had been on trial for fraud.

The slow, sure grinding of Mariette Vochlear between the upper and the nether millstone had filled Nesta with a profound horror. She would never be tried; if this accusation were persisted in, if she were arrested, she would kill herself somehow. The knowledge that she was innocent, that her innocence could almost certainly be proved in the end, was no comfort.

I reasoned with her.

"The police may have been to Scaferlati, and if so, he would tell them."

"No, he wouldn't. I telephoned to him immediately, and told him not to."

"My dear girl! Don't you know that under such circumstances someone always listens in? The police know all about it now——"

Nesta fainted.

"You must be brave." I had arranged for her to go back to Mrs. Mountjoy's, and that I should see Scaferlati and obtain his permission to communicate the facts to the police.

"All right, Dick. You'll come and see me in prison, won't you?" She tried to smile.

Arrived at the palatial offices of Scaferlati & Sons, I asked for Mr. Anthony Scaferlati. I was shown into his room. He greeted me in the most friendly style.

"I'm glad you've come. Has Nesta told you of Elena's latest lunacy?"

"Yes."

"What's your opinion? I don't like this keeping quiet about Sunday."

My heart warmed to him. "I only want your consent to go to Scotland Yard."

"By all means. I'll come with you."

On the way he talked first about his grandfather and then about Nesta.

"You knew her as a kid, didn't you?"

I said we were brought up together.

"Yes, she calls you her big brother. I say, doesn't she look ripping when she puts her head on one side and laughs? She ought to have her portrait painted like that."

I did not tell him of her husband's picture. Youth should not be saddened by knowing over what dusty ghosts middle age must tread its downhill path.

Scotland Yard received us with chilling indifference. The party to whom we ought to give the information was the Chief Constable of Wessex. He had the affair in hand.

I knew, from the newspapers, that the Chief Constable of Wessex had only recently been appointed, and that his name was Quoyle. It is not a common name, and, some years before, I had rendered assist-

ance to the Yard in a case which had been handled by a Superintendent Quoyle. I inquired whether they were related.

"The same man."

I persuaded Scaferlati to let me go to Redminster alone. He gave me the number and description of the car, and the route taken on the return journey. They had gone eastward after leaving Hensham, and Storborough lies to the west; but there was nothing to prove which way they had gone, unless the car could be traced, and they had not reached town until nine oclock.

I went to Redminster by the next train. When I was ushered into the presence, the Chief Constable looked at me in silence. He was an oldish man, with an impassive face but readable eyes. I stated my errand, excusing Nesta for having made the misstatement on the plea that she was nervous after being directly accused of participation in the crime. I gave him the particulars as to the car and its itinerary on the Sunday. I said that I had taken no steps to have the latter verified; I should prefer to leave that in the first place to him.

"Quite right. This is what I should have expected from you." He glanced at the paper, and looked up again. "Warn your cousin, Mr. Youatt, that she must not leave Lichfield Mansions without letting us know where she is going."

I said I would.

"And if we want any further information from her, she must answer truthfully."

"She will do that."

I thought he was going to say something more. As he didn't, I ventured to congratulate him on the appointment he had secured.

"Yes," he replied in an absent-minded tone. "I'd got about as high as I could in the Yard, and I thought this would be a nice easy job for my old age. They generally have a retired military man—God knows why. I hope I shall be able to justify the county authorities in choosing a policeman to do a policeman's work, instead of a soldier."

I remarked that there was no doubt about that, and asked: "If, as the result of the inquiries you make, Mrs. Mack is cleared, will you let me know?"

He promised to do so.

I told Nesta, when I went to see her in the evening, that the matter could not be in better hands. Quoyle was a cautious fellow, not in the least likely to make a mistake. This heartened her, and for a week she kept fairly cheerful. Then the strain began to tell. The newspapers were full of the Borlington mystery, and she read everything that was printed. She began to brood over it, to allow it to obsess her. Came the inevitable suggestion that there might be a woman at the bottom of the affair: Nesta thought she was aimed at, and it drove her nearly frantic. She ceased to sleep at all, grew haggard; her eyes were dreadful.

I went to Redminster again.

"What is it now, Mr. Youatt?" Quoyle looked worried.

I reminded him of his promise, and said that Nesta was suffering pretty badly. "If she is still under suspicion, she is best where she is. If not, I should

like to get her away. I thought you might have forgotten."

He replied: "I had forgotten. But I suspect her as much as I suspect anybody."

My heart sank. I was seriously afraid that Nesta would go out of her mind. "Couldn't you trace the car?"

Quoyle eyed me morosely. "Have you and Mrs. Mack discussed the crime?"

"Yes."

"Did she ever hint that Perrin may know more than he pretends to?"

"Never. On the contrary, when I suggested that his evidence at the inquest seemed contradictory, she said she was certain he had spoken the truth."

"What's your view?"

"After hearing what she says, the same as hers."

Quoyle seemed to reflect. Then he said abruptly: "Mr. Youatt, you are a sensible man. I'll put the position to you. Keep your mouth shut outside. I know you can."—He had the best of reasons for knowing that.—"I'm like a dog chasing his tail. How was the murder done, if Perrin wasn't in it?"

"While the car was standing and he away."

"No, it wasn't. That is one thing we do know. No one went near that car while it was standing but Perrin himself."

I wondered how he knew.

"We thought at first someone might have jumped on the footboard while the car was moving. Since, we've proved by experiment that it couldn't have happened without Perrin knowing. Now do you get me?

If Perrin wasn't in it—and we don't think he was; we should have arrested him if we had—*how was it done?* The car didn't stop anywhere else."

I could offer no suggestion.

The Chief Constable of Wessex was eclipsed for a moment while Ex-Police Constable Quoyle relieved his feelings.

"Shall I tell you what I think? The crime was committed by a ruddy monkey hanging by his tail from heaven. It must have been, because in no other way could it be done."

An idea came to me.—"Would you accept help?"

"Whose?"

"Never mind whose, for the moment. Not mine. But I might be able to get you the best kind of help."

Quoyle weighed this. I had helped him before.

"Unofficial?"

"Certainly."

"It would have to be strictly unofficial. Tell me the name."

"Sir Maurice Abramson."

"Um." Quoyle stared at me. "Would he?"

"I think so."

"Who's to pay him?"

"He would not expect to be paid."

"Then why should he do it?"

The eyes were distrustful. It would be best to admit——

"He knew Mrs. Mack as a child."

Quoyle shook his head. "Then his object would be to clear her."

I said that was not so. I proposed that all the evi-

dence, including what was known only to the police, should be submitted to Morry with a view to seeing whether he could hit on an explanation.

"Frame your own questions, Mr. Quoyle, and I will put them to him as the object of the suggested inquiry. If he agrees to hold it, you may be sure that he will answer them to the best of his ability."

Quoyle became thoughtful again. "Well, I don't know that it would do me any harm with the people here. Would he want to come down?"

I said I did not think so. "He would be more likely to ask you to go up to town."

"Very well. I'm at my wits' end, and they can't help me at the Yard. The papers have been making a song because I haven't had Yard men down here. What's the use? I can get the facts—I have got them. And on the facts the Yard are just as much stumped as I am. Ask Sir Maurice if he'll help us. I leave it to you how to put it to him."

I went back to London with a considerably lighter heart than I had had on the way down. Shrouded in obscurity as the affair was even to the trained minds at Scotland Yard, the razor-brain might shear through the veil.

I found Morry at his chambers. He rarely left them now in working hours, unless it was to argue some important appeal before the Lords; his days were spent in laying down the law as to weighty and complicated problems which reached him from all parts of the empire. I told him the whole story, beginning with Nesta's confidence to me and ending with my unofficial mission. He asked one question.

"Where is Mrs. Mack staying?"

I told him.

"I will let you know later whether I can do what your friend the Chief Constable wants."

He rang me up in the evening.

"I imagine Sunday will be the most convenient day for everyone. Very well. I will communicate with the Chief Constable in regard to the official witnesses. See Mr. Althrop, and ask if he will allow Sugden and the chauffeur to come to my house at ten o'clock. Can you secure an expert driver of motor-cars?"

I said I could.

"I think we should have a surgical expert, too. Er—bones. Can you suggest anyone?"

"Menzies-Brown?"

"Do you know him?"

"The Fullars do, and I have met him at their house. I think Harding Fullar will get him for me."

"He would be excellent. Let me see. The doctor who examined the body on the Sunday night. He made the post-mortem too, didn't he? Yes. Probably he is the regular medical attendant at the Towers. Ask Althrop about him. Er—the car. We should have the car. I shall want a map."

Morry on his job!

When I told Nesta what had been arranged, she looked at me with half-crazy eyes and said nothing. I felt sure that Morry had asked her consent, and knew that to give it must have involved a sacrifice of pride. She had never mentioned his name since that day at Markhamsted, and when it was mentioned

in her hearing, her mouth had taken on a hard line. This must be the lowest depth of humiliation for her; but it could not be helped.

I was kept busy for the remainder of the week. All sorts of things had to be done. Securing the experts gave me most trouble. Menzies-Brown, the osteologist, had operations to perform on the Sunday morning. Fullar tried one or two other men, and I did my best, but we could not get anyone. Ultimately, Menzies-Brown was persuaded to let his patients wait till the afternoon. As to the expert in driving, I relied on a friend who was well acquainted with the personalities of the motoring world. Late on the Friday afternoon, he told me that he had been unable to secure anybody. He offered to come himself, but he was not the class of expert required. Morry would want someone whose word was the last word.

I returned to Clifford's Inn in a depressed state. I hate to fail in doing what I have undertaken. I let myself in with my latchkey, and went into the sitting-room. Straddled on a chair by the window was a handsome, dark man, with a curly black moustache, like one of Vandyke's cavaliers. His face was turned towards the door when I entered, and there was a gay smile on it.

I nearly fell on his neck. He was Gaston de Reumont, a winner of I don't know how many trophies in the great days of motor-racing, when his nickname was "Cent-à-l'heure" — "Sixty-miles-an-hour." He drove me at that speed one day over the long straight roads of Normandy. Never again. But he was the very man I wanted at that moment.

I confided my difficulty. Would he stay in London over next Sunday, *morne* and *triste* as it might be? I felt that I was asking a great deal.

"Certainly, *mon vieux*. I always stay in London over a weekend when I can. I adore your Sunday."

"*Adore* it? Why?"

"It is so quiet. I repose."

A sigh of relief. "Then I need no one else as to motor-cars."

"Tell me of this case. I read something, but not much."

I told him.

"There should be an engineering expert present."

"You are an engineering expert as to motor-cars." Gaston had been through the shops.

"I am an expert mechanic. An engineer, no. Also it should be someone who knows the car. What make was this auto of Sir Dominic's?"

I told him.

"I know nothing of the details of its construction. You should persuade someone from the works to come if it is possible."

It proved unexpectedly easy. The managing-director of the company, appealed to by telephone, volunteered to come himself.

On the Sunday I called for Gaston at his hotel, and we walked to Regent's Park. I had rung the bell when a taxi drove up with Nesta in it. I went down the steps and opened the door.

There was a hectic brilliance in her eyes and in her smile, a brilliance as meretricious as the colour on her cheeks; I am bound to say that in each case

the imitation was good enough to deceive anyone who did not know her well.

"I asked Duff to let me come. But I shan't be in with you. Jess is going to take care of me."

"Duff—Jess." A week ago, Morry had referred to her as "Mrs. Mack," and she only knew Jess slightly.

She went up the steps. Gaston took off his hat as she passed him, and she bowed. Samuels had opened the door; she preceded us into the house.

"*Quelle jolie femme!*" whispered Gaston. "*Presente-moi.*"

I introduced them to each other in the hall. They chatted for a few minutes, and Nesta smiled up at Gaston with her head tilted. Can man ever hope to understand the ways of woman?

She went upstairs. We remained below, as Morry was going to sit in the dining-room, on the ground floor. We were presently joined by Quoyle, who brought with him a police constable. Next came Leonard Althrop with Sugden, Dr. Sarsfield, the coroner who had held the inquest, and Dr. Salmon, the local man. A minute or two later Perrin came in. He recognised me, and saluted. I felt sorry for him. His honest face was clouded by perplexity; he, too, had been brooding. Shortly afterwards a stranger appeared who proved to be Lees, the managing-director of the firm that made the car; I introduced him to Gaston, and they went out to have a look at it. The door was left open, and a minute or two later another stranger to me appeared on the steps. As Samuels was busy in the dining-room, I brought him in. He and Quoyle nodded to each other.

"Superintendent Blakeley," said Quoyle to me. "Sir Maurice thought it would be as well to have someone from the Yard. Blakeley is what you might call a specialist in murders."

The murder specialist was a fine specimen physically. I never saw a more powerful-looking man.

Menzies-Brown arrived, and then another stranger —Dr. Meiklejohn, from Newgate Prison. Morry appeared as the clock struck ten. He greeted us in a manner which made me reflect what a majestic judge he would make. I recalled Gaston and Lees, made the necessary introductions. Then we went into the dining-room and took our places at the table, except Sugden, Perrin, and the constable, who remained in the hall.

Morry opened the proceedings by saying that we had met in the endeavour to elucidate the circumstances connected with the death of Sir Dominic Scaferlati.

"I shall take the following facts as established. He died on Sunday the nineteenth of April, between the hours of six and seven-thirty p.m., on or near the road from Plumpsfield Manor to Borlington Towers. He entered his car, the landaulette outside, at the former time and place, and was found dead in it at the latter. The immediate cause of death was a rupturing of the cervical column.

"First, as to the ways in which that may be caused. Mr. Menzies-Brown?"

Menzies-Brown turned to Dr. Salmon with the remark that he would be obliged if Dr. Salmon would describe the nature of the injury. Dr. Salmon re-

plied that the spinal column was dislocated between the sixth and seventh cervical vertebræ.

"No splintering or bruising of bone?"

"No."

"Any sign of the adjacent muscles having been strained in an unusual manner?"

"No. A clean dislocation."

"Then we have only to consider dislocation by concussion. That can result from a jerk, provided the body is supported only beneath the chin; or from a blow on the back of the neck, or under or on the point of the chin."

"As to the jerk. How can the force requisite to produce it be applied?" inquired Morry.

"In hanging, it results from the body being allowed to fall a certain distance. The same effect can be obtained in other ways, as by pulling suddenly at the feet. Considerable force is necessary."

"A man can hang himself, of course. Could Sir Dominic have hanged himself, or been hanged, in the interior of the car? Dr. Meiklejohn?"

Meiklejohn asked Salmon as to Sir Dominic's height and weight, and Lees as to the space available. Supplied with these particulars, he said, "No."

"Mr. Menzies-Brown. In regard to the other ways of producing the jerk to which you referred. Could any of these have been operated in the interior of the car, bearing in mind the information just given?"

Menzies-Brown thought it would be impossible.

"Then unless we find reason to suppose that Sir Dominic quitted the car—I believe we shall find the contrary—that finishes with the jerk. As to the blows.

Mr. Menzies-Brown. Can a man strike himself in any of the necessary ways?"

"No."

"He could, of course, cause himself to be so struck, but some external force would have to operate?"

"Yes, unless a special apparatus were constructed."

"I see." Morry made a note. "As to the blow on the back of the neck. Would an instrument be necessary?"

Menzies-Brown said it might be done with the edge of the hand, provided the neck were extended horizontally.

"With the subject sitting or standing, could it be done with a blow of the fist?"

Menzies-Brown thought not. The other doctors were disposed to agree.

"But you cannot be sure?"

It was a question for a highly-skilled boxer.

Morry looked at me reproachfully. "We ought to have had an expert boxer, Dick."

Superintendent Blakeley remarked that he had been something of a boxer in his younger days, but he could not say as to that.

Morry reflected. "Samuels! Of course, Samuels."

"Samuels?" queried the superintendent as if he knew the name in connexion with boxing.

"My butler," replied Morry affably.

Samuels came in. Blakeley looked at him, and seemed to be amused; he nodded. Samuels, gravely dignified, bowed.

"You know each other?"

"I had the honour of meeting Mr. Samuels in the

ring twice," replied the superintendent. "I needn't say that he gave me all I wanted, quick. Three rounds it was, the second time."

It dawned upon me that Samuels was the ex-famous middle-weight, "The Gentleman Jew." How dull I had been! But who would ever have suspected that the deferential butler had been a prize-fighter?

"Samuels. You see Mr. Youatt here, with his back to you. Could you dislocate his neck by striking him on the back of it?"

"I don't think so, Sir Maurice."

"Could anyone?"

"I should say not, sir."

"You are well up in the history of the ring, aren't you?"

"Tolerably well, sir."

"You never read or heard of it happening?"

"No, sir. I do not think it could happen."

"Remain for a few minutes, and attend to what passes, will you?"

Samuels inclined his head.

"As to the blow under the chin——"

"On the point of the chin," corrected Blakeley.

"In boxing, yes. But"—to Menzies-Brown—"you said that the injury in this case might have been caused by a blow under, or on the point of, the chin."

Menzies-Brown assented to this, and Blakeley apologised.

"The blow under the chin. Such a blow could, I take it, be struck with the fist?"

Menzies-Brown said yes, provided the subject were

in a suitable position—lying down, for instance, with the chin elevated.

"Not if he were standing up?"

Menzies-Brown hesitated, look at Samuels with a slightly comical air.

"I do not think that it is possible, sir," said Samuels sedately.

"You should know," remarked Morry. "Nor, in that case, with the subject sitting down. But I take it such a blow might be struck with the subject in a sitting position, provided an instrument were used."

Menzies-Brown said, "Yes."

"We must bear that in mind." Another note. "Now as to the blow on the point. That has, we all know, been a cause of death in the ring. There is no difficulty about it if the subject is standing up. But could it be done with the subject in a sitting position, Samuels?"

"No, Sir Maurice."

"Does it require a great deal of force?"

"If the blow is accurately timed, it does not need the weight behind it that would be required to break a rib, sir."

"What do you mean by timing, precisely?"

Samuels gave us a beautiful little lecture. The impact of a blow, relative to the force utilised, depends upon the degree to which the force is exerted progressively; a boxer tries to co-ordinate the putting of his strength into the blow with the speed at which his fist travels.

"I see. It comes to this. Provided the force used is cumulative, it does not really require a great deal

to break a man's neck." To Menzies-Brown. "Do you agree?"

"Certainly."

"About how much force does it take? Could you do it now, Samuels?"

"Do what, sir?"

"Break a man's neck by striking him on the point of the chin."

"I could knock him out, sir, provided I were not exhausted by previous fighting. But I do not know about breaking his neck."

"You could," said Menzies-Brown; "anybody might."

Morry asked: "Do you mean that it might happen as the result of a blow which in most cases would be harmless?"

Menzies-Brown said he did. "It depends entirely on the way in which the blow is struck. I should describe what is required as a sharp, or staccato blow. Our authority on boxing describes it as 'properly timed.'" He looked at Samuels with a smile, and Samuels bowed.

Morry considered. "To recur for a moment to the blow under the chin. Would you say the same of that?"

"Provided the direction of the blow is parallel to the spine, yes."

"With the subject sitting or standing, the direction would be vertical?"

"Exactly."

"In regard to both these blows. Would the force required be less in the case of such a man as Sir

Dominic—I refer to his years and physique—than in the case of a strong man in the prime of life like the superintendent here?"

The doctors agreed that it would.

"What is the point of impact at which dislocation could be produced with the least force?"

Menzies-Brown said just under the point of the chin, and Morry noted it.

"Now as to the question of a mark on the skin. Would all these blows, however struck, leave a mark?"

The doctor agreed that unless a pad were used, they would.

"What sort of pad?"

"It would have to be thickish."

"Does that negative the conclusion previously arrived at in regard to the amount of force necessary? If a thick pad were used, would not a very powerful blow be required?"

There was another discussion. The doctors agreed that with a pad of some such material as felt, a man's neck might be broken without any great amount of force being brought to bear. Menzies-Brown suggested that the human hand would make an admirable pad.

"If a man put his hand over the point of his chin, and another man struck him sharply on the hand, his neck might go exactly as if the hand were not there, but I don't think there would be any mark."

The physicians concurred.

Morry reflected. "I don't think I shall require further assistance from you, Samuels."—Samuels

retired.—"There was no mark on the body in this case, Dr. Salmon?"

"None anywhere."

"Now as to agency. Apart from the possibility that Sir Dominic was struck by something exterior to the vehicle, as in consequence of putting his head out of the window, and assuming that he was killed while in the car. The blow on the back of the neck might have been produced by an apparatus, or by human agency with an instrument. The blows under and on the point of the chin might have been produced by human agency without any apparatus or instrument, except a pad of some kind; but we must not let it escape us that they could also be produced by mechanical means.—You wish to say something, Mr. Quoyle?"

Quoyle had shown signs of dissent.

"I can't follow you, Sir Maurice. There was no sign of any apparatus, and even if one was used, there must have been what you call human agency at the time."

"I do not think we ought to assume that. I conceive that a mechanical apparatus might be devised to actuate itself for the purpose. Nor does it follow because no apparatus was found that none functioned. It may have been removed from the car. It may have been in the car, concealed; or visible, but not recognised for what it was."

Quoyle looked dissatisfied.

"You must trust me," said Morry. He turned to the coroner. "I have studied the verbatim report of the inquest which you were so kind as to lend me,

and in considering the evidence I propose to take that first. If you will permit me to offer a remark, I cannot conceive how such proceedings could be better conducted than they were on that occasion."

Dr. Sarsfield bowed.

Morry went through the report, reading some parts slowly and with emphasis, skimming others. The first part emphasised was the evidence of Lord Thurton. " 'Sir Dominic refused to stay for dinner because he was tired. I pressed him to do so, but he excused himself.' " To Althrop: "Does that suggest to you that your uncle was unwell?"

"No. For about a year now he tired easily. He was getting very frail."

Dr. Salmon put in: "The body only weighed six stone twelve pounds. The tissues were wasted almost to nothing."

Morry went on: "Sir Dominic entered the car, which was closed. Lord Thurton says that he is positive no one else was in the car then. How does he know that? He means, he did not see anyone. Might not someone have been hidden under the seat, for instance, Mr. Lees?"

"No. The seat is fixed."

"Thank you. Now for the chauffeur, Perrin. He says he drove slowly along the avenue to the lodge-gates. At that point we have the evidence of the lodge-keeper. He saw Sir Dominic, and saluted him. He says there was no one else inside the car, nor anyone up behind. Could anyone get up behind?"

Lees said, "Yes."

"And remain there?"

It was possible. "He could hold on to the stays of the hood."

"Ah! Returning to Perrin's evidence. In the road, he quickened slightly, but as there were a number of people about in Plumpsfield village, he kept the speed under twenty miles an hour until he was clear of it. Then he accelerated to between twenty-two and twenty-four miles an hour, and kept it so until the engine began to fail outside Storborough. He accounts for the speed by saying that his standing orders were to let it vary as little as possible: Sir Dominic wished the car to run steadily."

Morry referred to the map on which I had marked the mileage of the journey.

"My uncle used to say that he did not like being bumped," observed Althrop in the pause.

"But the place where the car stopped is fourteen miles from Plumpsfield. Is it possible to drive for fourteen miles without varying the speed more than two miles an hour, Monsieur de Reumont?"

"It is possible to keep within half a mile an hour for any distance, unless the road is blocked," replied Gaston.

"You surprise me."

Me, too.

"Then we have the episode of the stoppage. It is an episode fertile in possibilities, but we must beware of allowing that to mislead us."

Morry read Perrin's evidence in regard to it, and remarked: "There are confirmatory statements which we shall come to later. In the meantime let us note that Perrin is not certain Sir Dominic was alive and

unharmed when he returned and removed the obstacle in the feed-pipe. He says: 'I didn't look at him or speak to him because I thought he was most likely vexed with me. I ought to have had my wire, and not have kept him waiting like that. But I thought I saw him sitting up all right.' Next he comes to an incident which, as he says, occurred three or four minutes after he started off again. 'Just before we reached Storborough church I looked round, thinking Sir Dominic might wish to call on the vicar.'" To Althrop: "Why should Perrin think that Sir Dominic might wish to call on the vicar?"

"They were cronies. My uncle often drove over to the vicarage for a chat, and sometimes dropped in when passing."

"I see. But on a Sunday evening, at about seven, the vicar would be in church, would he not?"

"No. There is an afternoon service at Storborough instead of an evening one. Perrin would know that."

"Ah!—'Sir Dominic shook his head, and I went on.'" A pause. "*Shook* his head——"

"My uncle had a trick of twitching his head sideways instead of saying no."

"Call Perrin, Dick."

I summoned the chauffeur.

"You said at the inquest that when you looked back at Sir Dominic before passing Storborough vicarage, he shook his head at you. Is that strictly accurate? Did he shake it?"

"It's as near as I can get to it, sir. He shook it like he always did."

"How? Show us."

The chauffeur jerked his head a trifle to the left and back again.

"Thank you. That will do for the present."

Perrin retired.

"It occurred to me," explained Morry, "that if Sir Dominic had been killed during the stoppage, and left sitting up, his head, being loose, might have been lolling, and deceived Perrin in the dusk. But, between you, you have put that thought out of the question."

Quoyle's eyes were shining. He admired that bit.

"After this, Perrin says, the speed was steady until he reached the entrance gates of the Towers. He overtook two traps on the way, both belonging to local residents whom he knew.—Those persons came forward of their own accord and confirmed this. I gather that no suspicion attaches to them?"

Quoyle replied: "They're out of the question."

"Nothing else happened, according to Perrin, until he drew up before the front door of the Towers. He saw Mr. Sugden on the steps, therefore he did not look round or make any attempt to get down. He knew Mr. Sugden would open the door, and there was nothing to be taken out of the car. Sir Dominic did not require assistance. Is that so, Mr. Althrop?"

"Yes. He disliked help being offered. He was quite active."

"In spite of his lameness?"

"The lameness was only due to one leg being a trifle shorter than the other."

Dr. Salmon said: "Half an inch."

"I see. Therefore, Perrin says, he did not turn

his head until Mr. Sugden called to him. Now we will take Mr. Sugden's evidence. He says he did not see Sir Dominic in the car as it drew up. He looked in, and saw the upper part of the body lying sideways on the seat, the head resting against the side of the car; the legs were tilted. Sir Dominic's hat was still on his head; his stick had fallen to the floor. Er—the stick——"

"I have it," said Quoyle. He lifted it on to the table.

"Ah. We may want to look at it later.—Sugden thought Sir Dominic had fainted. He called to Perrin and opened the door. He and Perrin lifted the body, and then they perceived that the neck was broken. The body was not noticeably cold."

A silence.

"Now let us take the information in the possession of the police, apart from that as to Perrin's character, which we will deal with later. First, there is the investigation made the same night by the constable at Borlington." Morry looked at Quoyle and remarked: "An intelligent officer, eh?"

Quoyle nodded.

"He was summoned to the Towers, and went there on his bicycle. Perrin gave him an account of the journey which tallies with the one he gave at the inquest, except that he does not appear to have told the constable that he had seen Sir Dominic alive after the stop. The constable, therefore, had every reason to suppose that Sir Dominic must have been killed during the stop. He saw the importance of examining the place with as little delay as possible, but he

also saw that Perrin might not be telling the truth when he said that he had not stopped anywhere else. He refused Sugden's offer to let Perrin drive him; he did not make use of his bicycle. He took the acetylene lamp from it, and set off on foot, scrutinising the tracks of the car as he went along."

"The dickens he did!" came explosively from Althrop.

"The car, by a happy chance, had tyres with a pronounced zigzag pattern in the tread, and two of them were nearly new. The surface of the road had been softened by the rain. The conditions were thus almost ideal for the purpose. The constable makes some definite assertions. He says that the car stopped in the exact place indicated by Perrin, and that it did not stop afterwards. Could he tell, Monsieur de Reumont?"

"I think he might from the marks. It makes a difference where you stop."

"A blur," said Quoyle, and Gaston thanked him for the word.

"He goes further. He says the car remained in that place for some time."

"He may think so from the depth of the marks just there. But that is guessing."

Quoyle shook his head.

"I do not believe that it is possible to be sure," protested Gaston.

Quoyle was amused. "Cramp learned how through being put on traps. A knowing sportsman will often spot the trap, run near through, and then pull up. He'll be waved to go on, because if he stops there

he's advertising the trap; but sometimes he thinks there may be a catch in it, and remains where he is long enough to be safe. Cramp, sitting behind the hedge with a stop-watch, used to occupy himself between whiles by studying the marks. He got to see the difference between a pull-up-and-off and a longish stop. You don't have police-traps on your side of the Channel, I believe, Mossyour dee Roomong."

"*Dieu merci*, no!" said "Cent-à-l'heure."

Morry went on. "Now as to other indications. The constable says the tracks ran straight in the middle of the road except where the vehicles were passed. He 'did not observe any suspicious footprints.' We must ask him what he means by that. At the place where the car stopped he examined the whole of the road with particular care. He found Perrin's footmarks, and they accorded with his statement that he jumped out, investigated, and so on. The constable also found the footprints of a child who had passed on the other side of the road. We will take next the blacksmith at Storborough. He testified that Perrin did come for a piece of wire, and, incidentally, that there was nothing out of the way in his demeanour.

"Now for the child whose footprints Cramp observed—Alice Raisin, eight years of age. She lives at the first house in Storborough village, about four hundred yards from where the car stopped, and she says that as she was coming home from her uncle's farm on the Sunday evening she saw a motor-car, standing, 'before she came to the fork in the road'—

that is the place indicated by the other evidence. She describes it as 'grey, with a black top.' That is correct, I think? She 'didn't see the driver,' but a few minutes later, close to her home, she 'met a man in cap and overcoat, with a wire in his hand.'" To Quoyle: "Did you see this child yourself?"

"Yes. A smart little kid."

"Did it occur to you to ask whether she noticed if there was anyone up behind the car?"

"No, but she would have said so if there had been. The back of the car was towards her as she came along."

"You think her powers of observation are to be relied on to that extent?"

"Yes, I do. Country kids take notice more than town kids."

"I believe that is so. Then that concludes the evidence, except that the passing of the car was observed at a number of points, and all the witnesses say it was closed.

"Dr. Salmon. You said at the inquest that when you arrived at the Towers and examined the body, rigor mortis had set in. Perrin and Sugden said that when they lifted the body out of the car it was not cold. Can you form any opinion as to when death took place?"

"I should imagine within half an hour of the arrival of the car. It is impossible to say precisely."

"Quite so. But, allowing for the fact that it must have taken Perrin at least a quarter of an hour to get his piece of wire, the probability is that death took place after, rather than before, the stop?"

"I think so."

"Now we come to the problem." Morry turned to Quoyle. "I dealt with the question of agency in what may have appeared to you a pedantic manner because, when I first read the evidence, it seemed to me that there was a pitfall. In the majority of similar cases it would be safe to take for granted that there must have been a human agency operating at the time; working on that assumption the facts could be explained without exceptional difficulty. But in this case it was obvious that the facts could not be explained without exceptional difficulty; otherwise, you would have needed no help. Therefore, as I put it to myself, the door must be kept open."

"I see now, Sir Maurice."

" Human agency is, however, the most probable explanation. We will take it first. As to Perrin. He is the person on whom suspicion would naturally fall, because, on his own evidence, he was present, and there is no evidence that anyone else was. He professes to have no idea how Sir Dominic came by his death. Ought we to accept that? First, let us observe that everything in Perrin's evidence which can be tested has been tested, and at every point his evidence is confirmed. Next as to his character. It could not be better. You have testified as to that." This was to Althrop.

"I am certain he has told all he knows," said Althrop. "He is as much puzzled as any of us. I wish I had heard before about that policeman tracking the car. It would have comforted Perrin immensely."

"No doubt Mr. Quoyle had his reasons for keeping it secret. Dr. Sarsfield. You examined Perrin at the inquest. What impression did he make on you?"

"He seemed to be giving his evidence honestly."

Morry turned to Quoyle. "You have had him before you?"

"Several times. I can't get any more out of him."

"Let us have Mr. Sugden in."

I summoned Sugden.

He said he did not notice Perrin particularly as the car came up because he had no reason to do so. Perrin seemed to be taken by surprise when he, Sugden, shouted to him that Sir Dominic had fainted. When the body had been carried into the house, and Doctor Salmon telephoned for, Perrin told him all about the run and the stoppage. Perrin seemed to be perplexed—more puzzled than perturbed, Sugden thought. He was perturbed too, of course.

"On his own account?"

"No, I don't think so. He was upset because Sir Dominic was dead, but I don't think, from his manner, it occurred to him then that he might be suspected of having a hand in it, any more than it occurred to me I might."

"You say he told you all about the run. Did he mention having seen Sir Dominic as they passed Storborough church?"

"No. He didn't remember that until after the policeman had been and gone."

"Have you had opportunities of observing his demeanour since?"

"Certainly. I have seen him every day."

"How would you describe it?"

"He has just been as usual, except that he is worried because he thinks the police don't believe him."

"Thank you."

"Perrin had no hand in it, Sir Maurice."

"I am disposed to agree with you."

Sugden went out, and Morry said: "I really am disposed to agree with Mr. Sugden. But let us take the contrary supposition, and see whither it leads us. Did Perrin kill Sir Dominic, and was the crime premeditated? If so, he had no need beforehand for an accomplice. When did he do it? To suppose that he did it before the stop conflicts with Dr. Salmon's opinion as to when death took place, and involves the supposition that he went into Storborough leaving the body unguarded in the car. Is that credible?"

He addressed Blakeley. The superintendent said it wasn't likely.

"Then did he do it after he returned with his piece of wire? Let us suppose that he did, before the car restarted. Is it credible that he would deliberately commit the murder on the spot where the car had been standing, when he had met Alice Raisin coming from that direction, and for all he knew she might have seen Sir Dominic in it, Mr. Blakeley?"

"I don't think so."

"Nor I. Mr. Quoyle obviously agrees with us. Every reasonable person would, I imagine. Then did Perrin kill his employer without premeditation, as the result of a quarrel or dispute, before he went on? That involves the supposition that he drove off

with the body and went straight home as if nothing had happened; because the time at which he called at the blacksmith's, and the time of his arrival at the Towers, preclude any delay. We must take into account his demeanour on arrival, and the fact that he volunteered a statement to Mr. Sugden which, on his assumption, would imply that he gave away the place where he had committed the crime. Is that probable?"

Scotland Yard thought not.

"Did he kill him after the car restarted? Monsieur de Reumont. Could Perrin have left the driving-seat without the car running to one side or other of the road?"

"Not for more than a second or two."

"All you medical gentlemen ride in motor-cars. Do you think it possible that the chauffeur could break the neck of a passenger inside a landaulette without leaving the driving-seat for more than a few seconds?"

"Assuming that the back is closed?" inquired Menzies-Brown.

"For the moment, yes."

There was a discussion. Could Perrin have opened one of the windows in the front? Lees said not. Was it likely that Sir Dominic had done so? Althrop laughed at the idea; his uncle would have told Perrin, through the tube, to stop and do it. Ultimately, Morry's question was answered in the negative.

"As to the car being closed. The little girl's evidence is that it was closed during the stop. It was closed a few minutes after it started again—it

was seen before it reached Storborough church. It was closed when it overtook each of the farmers' gigs, and when it arrived at the Towers. Perrin could not have opened or closed it without stopping the car—Monsieur de Reumont?"

Gaston said, "No."

"Then we must conclude that it was closed all the time, and that rules out the possibility that Perrin killed Sir Dominic, unless some specially-devised apparatus was employed. I will recur to that. Was he an accomplice, and the actual killing done by someone else? If so, when and how? Mr. Blakeley. Would it, in your opinion, be part of a murder plot that the speed of the car should merely be reduced?"

"No. They'd have arranged to stop it."

"You do not think it possible that it would be kept moving as a precaution against detection?"

"It doesn't sound right to me."

"Where we know the car stopped, nothing of the kind took place, and it did not stop afterwards. Therefore, if the car was stopped for the purpose, it must have been between Plumpsfield and Storborough, which again brings us up against the improbabilities that death took place so soon and that Perrin walked off and left the car, with the dead body in it, unguarded—unless the murderer entered the car before the stop and remained in it until after. If that were so, where did he leave it? He did not get out there. Bearing in mind the improbability that Perrin, returning, and knowing of the murder, behaved exactly as if nothing had happened, let us take the point as to where the accomplice

jumped off. Not, one would think, before Storborough church was passed, because in the village the car was under observation. After that, it entered the quiet by-road; but, fortunately, that is precisely where the constable's observations have most value. Let us have him in."

As I went to the door I heard Morry say to Quoyle: "Are you going to reward him?" and I imagine that Quoyle nodded, because Morry greeted Cramp with:

"So you are the man who neglected the obvious thing to do—stay and question all the people who knew nothing about it—and went off along the dark roads with a bicycle lamp. Give him your chair, Dick."

I had been sitting on Morry's left.

"Now let me have a look at you. I expect you know that the Chief Constable is angry about it?"

"No, sir. He was good enough to say a word or two."

"You will hear of it again."—Constable Cramp was very happy.—"Now then. You say in your report that you did not notice any suspicious footmarks. What do you mean by that?"

"As if there'd been a gang, or anybody, hangin' round."

"Were there no footmarks near the tracks?"

"Not specially. People had bin walkin' at the sides of the road, and crossin' it."

"We think that after Storborough was passed, someone might have jumped off the car and walked away."

Cramp shook his head. "Then his footprints would

have begun sudden near by the wheelmarks. I saw nothin' the like of that."

"Nor any that ceased suddenly, as if someone had jumped on?"

"No, sir."

Morry observed to Quoyle: "I think we must abandon the idea that anyone entered the car from the ground, or quitted it by jumping on to the ground," and I was thinking of Quoyle's monkey from heaven when Morry electrified me by continuing calmly: "It has probably occurred to you that it might have been boarded from a vehicle running alongside, and quitted in the same way."

Quoyle's eyes were those of a well-trained terrier who scents a bagged rat.

"No, that's new to me," he said slowly.

"Constable. As to other wheelmarks. You only mentioned those of the two gigs. Were there no others?"

"Not of vehicles as was passed. There was others that come along before or after."

"Were there any that ran alongside those of the car?"

"In one place, there was."

"Where was that?"

"Against the church, and half a mile our side. Widest part of the road. Another car had come from the village, and the tracks ran along Sir Dominic's."

"By josh, I believe you've got at it!" exclaimed Quoyle. "Cramp——"

Morry held up his hand in rebuke.—"How near?"

"A couple of feet. Sometimes closer."

A thrill went through me.

"They never touched?"

"No. But d'ye see, there's a reason for that. Miss Honeywood, she's a hamatoor at it, and always keeps to the left of the road. Mr. Perrin's a regular shover, and drives bung in the middle. So Miss Honeywood, comin' along after, didn't overlay him."

I heaved a sigh of relief as the light died out of Quoyle's eyes. "It was a lady who drives herself in a two-seater," he told Morry. "We know about her."

"There were no other wheelmarks?"

"None at all."

"Thank you, constable. We may want you again."

Cramp went out. Morry became pensive.

"I think we must dismiss the hypothesis that Perrin was an accomplice. Was Sir Dominic killed by someone who boarded the car unknown to Perrin? The natural answer would seem to be that Sir Dominic must have known if anyone boarded the car, and would have alarmed Perrin. I do not think it follows. Sir Dominic may have been dozing; he was tired. Monsieur de Reumont. Could anyone spring on to the footboard of a moving car without the driver knowing it?"

"It is possible under certain conditions."

"Under what conditions?"

"That the road is bumpy, the person who jumps is light, the body of the car heavy, and the springing bad."

"In this case the evidence is that the road was good. Would it be possible, if that was so, with the car outside?"

"It would hardly be possible with that car in any case. The body is light and the springing excellent."

"Could someone have jumped up behind without Perrin being aware?"

Gaston said a light person might do it.

"Would it be possible to climb from behind on to the footboard without the driver knowing?"

"No. The moment the weight came to one side, the driver would feel it in the steering."

"That's right. We arrived at the same conclusions by experiment," observed Quoyle.

Gaston was amused. "You need not have experimented, my dear sir," he said with his charming smile. "Any capable driver could have told you that by examining the car. If I were driving it, I would know if anyone moved inside. But a man who got on to the footboard——!"

Words failed him. He shrugged eloquently.

Morry made a note.

"It is obvious that if the car was closed, a person who jumped up behind must have got on the footboard to strike Sir Dominic. There is also the question of speed. Mr. Quoyle's experiment showed that the highest speed at which even an acrobat could board a car was fourteen miles an hour. Now, if this had happened, it must have happened after the stop, because there was no one up behind the car when the little girl passed it, and no one could have boarded it between then and Perrin's return; he must have left footmarks. Where could it happen? Perrin says that after he passed the church the speed was steady all the way. I can see only one point where

it could have happened. Bring Perrin back for a moment."

I did so.

"Perrin, when you slowed to look round at Sir Dominic, how much do you think the speed of the car dropped?"

Perrin considered. "She'd be doin' all of eighteen."

"Are you sure?"

"Quite sure, sir. And about anybody jumpin' on the car, I am wishful to say——"

"No one did jump on the car, Perrin. I know that."

Perrin retired, and Morry said:

"We must give that up. It is obviously impossible. Therefore, no third person intervened, which is equivalent to saying that Sir Dominic was not killed by direct human agency."

"Then how was he killed?" muttered Quoyle. He was disappointed; his eyes showed it. Morry seemed merely to have arrived by a roundabout road at the enigma with which he had been face to face for weeks.

"He was killed by a blow struck mechanically, either by an apparatus contrived for the purpose, or accidentally. We must go back on our view of Perrin for a moment. Recall Sugden."

I did so.

"Mr. Sugden. As to what was in the car when you opened the door. Sir Dominic's body, and his stick."

"That was all."

"Nothing else whatever?"

"Nothing at all."

"You speak as if you were certain of that."

"I am. I looked."

"When?"

"After I had sent for the police and questioned Perrin."

"Was he with you all the time, after the car arrived, until you looked in it again?"

"Yes."

"He did not go out of the house meantime, after helping you to carry in the body?"

"No. I kept him by me."

"Did he assist you to search the car?"

"He held the light—an electric hand-lamp he brought from the garage."

"Now I am going to ask you a very important question, and I want you to reflect, before you answer it, if you are not sure. Be careful, Mr. Sugden. Is it possible that there was something else in the car when it arrived, and that Perrin removed it without your knowledge?"

Sugden replied without hesitation: "No."

"Did you look in the tool locker?"

"Yes. I looked everywhere."

"Was the car itself examined—the back of it, the hood, and so on?"

"Very carefully."

"The hood was in the normal closed position?"

"Yes."

"Thank you."

Sugden went out.

"Let me have a look at that stick," said Morry.

Quoyle laid it on the table. It was a somewhat curious stick, with a large round nut, beautifully grained, for a top.

"You know this?" said Morry to Althrop.

"Indeed I do," replied Althrop sadly. "My uncle was seldom without it."

"Hm." Morry laid it on the table. "Now, the last time Sir Dominic was seen alive, he was sitting——"

A pause.

"Let me have Perrin back for a moment, Dick. I want to get the picture into my head."

Perrin came in.

"Which side of the car was Sir Dominic sitting on when you looked round and saw him at Storborough church?"

Perrin said neither side.

"Where was he sitting, then?"

"In the middle, sir. He always did when alone."

Morry looked at Althrop, and Althrop nodded.

"That seems curious," commented Morry. "Most people, when alone in a car, sit to one side, more or less in the angle."

Althrop explained that his uncle was not given to reclining. He always sat upright in a chair, unless he leaned forward with his hands on his stick.

"Ah." Morry turned to Perrin. "Between there and the Towers entrance you passed two traps."

Perrin assented.

"How near did you pass them?"

"About three foot of clearance."

"Are you sure?"

"Quite sure, sir. I never passed closer than I need with Sir Dominic in the car. He was a bit nervous."

"Did you pass anywhere a stationary vehicle—a cart left by the roadside for instance?"

"No, sir."

"Did you, anywhere in that stretch, pass close to anything?"

"No, sir."

"Would you have known if Sir Dominic had leaned out of the window?"

"I think so. I know when Miss Elena does, if the car's runnin' smooth."

"You see, Perrin, for a man's neck to be broken while he is sitting, he must be struck by something, and there must be a cause of the blow. Now, you are the only person who can possibly know what it was that struck Sir Dominic, or what caused the blow. I am aware that you do not know or, at least, you don't think you do. You have been puzzling about this, haven't you?"

"Indeed I have, sir."

"You would help me if you could?"

"Indeed I would, sir."

"Well now, try. Go back into the hall, and sit down quietly by yourself. Don't talk to Mr. Sugden or the constable. Go over that stretch of the journey in your mind, bit by bit. Think you are back on the road again, driving the car. How do you drive, as a rule? One hand on the wheel, or both?"

"Both, generally."

"Very well. Shut your eyes and think you have your hands on the wheel, and you are going along.

Let things come into your mind. Perhaps there will be something, some tiny detail of the journey, which you haven't mentioned, to tell me of. Try that for me."

Perrin said he would.

"Dick, ask Mr. Sugden and the constable to leave him to himself, will you?"

When I returned, Morry had turned on the headlight.

"The car travelled steadily along the road. It kept to the middle of the road for two miles. Then it swung to the right to overtake and pass the trap which contained Mr. Blount and his family. . . ."

The headlight failed to reveal anything. But there was still a faculty in reserve. Morry's arms came up, the elbows rested on the table, and his head drooped until it was supported by the half-closed fists.

His face went utterly blank. At such times I seemed to see his intelligence as something white, fine, and keen-edged, like the spirit of a sword-blade, ranging the infinite that is one. The phenomenon always made me cold.

There was a profound silence in the room.

Morry spoke. "His neck was broken . . . by a blow produced by a mechanical apparatus. No external apparatus operated, and no trace of any internal apparatus was subsequently noticed. But a car is an apparatus, an apparatus for the purpose of travel. It was travelling. There was a motive force—its movement. That does not suffice alone. There must have been something else. . . ."

His voice had been growing faint. It died away. The tension in the room mounted. There was something terrifying in that prodigious effort.

He came back to earth and raised his head. His face was grey and lined, and a muscle in the right cheek, beside the nostril, twitched.

"Something happened which Perrin noticed at the time, but which made so little impression on him that the shock of the discovery at the Towers obliterated it from his memory. He may now recall it. There may be another way of getting at it. Let me have Cramp again."

Cramp entered. Morry invited him to sit in the chair I had left vacant, and made a ghastly attempt at his former geniality.

"I have not done with you yet, you see, constable. I want to have a little talk about the tracks of the car between the Towers and Storborough church. You said in your report that they ran in the middle of the road the whole way except where the two traps were passed."

"That's right."

"Wasn't there a swerve anywhere?"

"No. He's a very good driver, d'ye see, Mr. Perrin."

"This gentleman here—Monsieur de Reumont—explained to me how you could tell where the car had stopped—by the marks being blurred."

"That's right."

"Were the impressions quite clear everywhere else?"

"Except where somebody had trod on 'em, or the

trap-wheels gone over 'em. But there was always one or more clear."

"The Chief Constable told us how you could tell that where the car did stop, it remained for some time—by the depth of the marks."

"That's right."

"Didn't the depth of the marks vary elsewhere?"

"It did."—We all came to attention.—"There was a place—just one—where the impressions was deep. But there was a reason for it."

"Where was this?"

"Near side Storborough church."

"And what was the reason?"

"They'd had the road up 'count of the vicarage drain bein' stopped, and filled in the trench with soil. That there rain in the afternoon came down heavy, and soaked the soil soft. Consequently the wheels went in deep, d'ye see, Sir Maurice?"

Constable Cramp had been enjoying himself, talking familiarly with an ex-cabinet minister across the corner of a table at which his own chief was sitting, as well as an officer high up in the Yard. He was rather startled, and so I think were all of us, when Morry said in a sharp tone:

"Go and sit at the other end of the room, next to Mr. Althrop, and don't speak, or move after you sit down, until I give you permission."

The constable went. He was rather scared.

"Now, please, everyone," said Morry in a modified form of the same tone. "No one moves, or speaks. Dick, just go to the door and ask Perrin, quietly, to come back for a moment."

I went, wondering.

Perrin came in looking sheepish.

"Sit down, Perrin," said Morry smoothly.

Perrin sat down.

There was a silence.

"What was it you forgot to mention?" The silkiness of Morry's voice!

"Well, Sir Maurice," said the shame-faced chauffeur, "I have remembered somethin', but it's such a trifle I hardly like to mention it."

"Out with it."

"We went over a soft place in the road. A drain, or somethin' like that."

"Where was it?"

"At Storborough, by the vicarage gate."

"Much of a jolt?"

"Sharpish."

"You did not look round?"

"No. I thought Sir Dominic was vexed with me quite enough before. I half expected he'd call to me through the tube to be more careful. But he didn't."

"He didn't, because he was dead," said Morry quietly.

I thought Morry was mad until Menzies-Brown said softly, as though to himself: "Yes, that's it."

Perrin recovered from his bewilderment. "Excuse me, Sir Maurice, but he couldn't have been. I'd seen him less than a minute before."

"How was he sitting when you saw him?"

"In a way he often did, lately—leanin' forward a bit."

"Show us."

Perrin pushed his chair back, and lifted his hands. His eyes travelled to the table.

"You want something?"

"The stick, if you please, sir."

Morry gave him the stick. He rested his hands on it, leant forward, let his head drop.

"That's as near——"

"That will do, thank you. No, remain. Dick, will you bring in Mrs. Mack and Mr. Sugden?"

I told Sugden as I passed through the hall. Upstairs I found Nesta sitting in silence, Jessie holding her hand. She whitened at my summons, and looked at me anxiously. I could tell her nothing definite.

Morry turned his head as she entered. For her sake he had wrenched the secret of the dusk out of the limbo of unwitnessed traceless happenings; his ashen, lined face showed what the effort had cost him. Nesta's glance remained on it; she put out her hand in a negative gesture to refuse the chairs offered to her—all the men had risen—and so we stood while Morry, seated, delivered his finding.

"I find that the death of Sir Dominic Scaferlati was due to an accident. Just after Perrin looked round and saw him, he must have dropped his chin on his hands for a moment, and in that moment the motive force for a concussion was produced by the wheels of the car bumping into the trench. It was transmitted through the springs and floor to the stick, the ball at the top of which was exactly under the point of the chin. The hands formed a pad, so there was no bruise."

CHAPTER XV

Three of a Kind

I arrived at Markhamsted at three o'clock on a Saturday afternoon. Nesta was out, golfing, so I put in a couple of hours with Aunt Betsey. Then I strolled down to the village to get an evening paper. What I wanted an evening paper for, I don't know; perhaps it was an excuse to take the dogs out. I bought one, however, and sauntered back across the Common. I saw an emerald jumper coming from the golf course. Jumpers were a novelty then in England; they came to us from France, and I thought this one might contain Nesta, who was usually up in French fashions.

We met. She looked very well, I thought, after her couple of months' fresh air and exercise. I hoped she was going to be sensible this time, and stay with Aunt Betsey, instead of roving off to some other person's house.

"Had a good game?"

"Pretty fair."

She had recovered her nonchalance, too—no, she hadn't; there was a queer look in her eyes, a look of resentment. I wondered why.

We reached the Hall. Nesta went upstairs; I joined Aunt Betsey in the summer parlour and read my paper.

"San Francisco, Friday.

"Isola Bella was found dead this morning in her room at the Sacramento Hotel. A bottle which had contained chloral was by the bedside."

I got up, folded the paper, thrust it into my jacket pocket.

"Leave me your newspaper, Richard. I should like to look at it."

Aunt Betsey had to be obeyed. I complied, but I sat down again. I meant to get that paper back—burke it. (Why? Don't be curious.)

Aunt Betsey put on her spectacles and read the paper conscientiously, as old ladies do who live in the country. It was her sort of paper—one with social news in it.

"I see Dorchester's girl is engaged."

"Yes, I saw that."

"Who is the man—Captain Renton?"

"A son of Sir Henry Renton, the woollen manufacturer."

"Oh! She has not done very well, then."—Commercial baronets were small potatoes in Aunt Betsey's eyes.

"The young man is in the Guards."

"That may be. But the Hibberts are a very old family—nearly as old as ours."

"All families are old," I observed sententiously.

"Nonsense, Richard. You like to talk in that democratic way, but you don't believe in it."

"In the Frankfort parliament of 1848, Bismarck cheeked the president, a Jew. The president reproved

him sternly. 'How dare you speak in that way to me?' demanded young Bismarck: 'I can trace my ancestry back four hundred years.'—'How dare you speak in that way to me?' retorted the President: 'I can trace my ancestry back to the prophet Aaron.' "

"I like your friend," replied Aunt Betsey.

I gazed upon her. Conscious of my gaze, she went on reading with perfect serenity—the serenity of an ambassador's widow.

"Tell, Liz."

"Richard, you ought not to address me in that disrespectful manner. I have had occasion to reprove you for it before." Aunt Betsey secretly enjoyed this piece of impudence; Uncle Henry used to call her Liz when he was in a good humour.

"Tell—go on, do."

"Sir Maurice has been at Mirfield several times lately visiting his mother. Nesta asked him to call. He is a very able man, Richard. He ought to be in the service."

I clung to my chair. No higher compliment could pass Aunt Betsey's lips.

A pink georgette evening-frock appeared. Its brown hair was done in a most becoming fashion, its eyes sparkled, and its complexion was peaches and cream. Also it had thin silk stockings on, and very smart evening-shoes, silver and pink.

"Who's coming to dinner?"

"Only Duff."

Wow-wow.

"Aren't you going to dress?"

"Yes, in a minute."

"I suppose I must go and be tidied," said Aunt Betsey who had reached the age when old ladies cease to dress for dinner. They tidy themselves, or are tidied when they are fortunate enough to have Marslands.

Aunt Betsey laid the paper down. I retrieved it negligently.

"Give that to me, Dick. I can look at it until Duff comes."

"But I want to look at it myself."

"How can you while you are dressing? Don't be selfish. Hand it over."

I handed it over. Nesta had to be obeyed when she was as pretty as all that.

I found Morry in the hall. He was wearing a span-new dinner-jacket and a shirt with a soft pleated front; also his tie was properly tied.

"You look like a duke."

"I am glad to hear you say so," replied Morry composedly. He went into the summer parlour.

Confound that paper! Should I butt in and retrieve it? Probably it was safe where it was—like dynamite as long as you don't thump it.

We dined in the small dining-room. Aunt Betsey was gracious, Nesta demure, and Morry serene. Generals, admirals, statesmen, and bumptious asses who had never done anything except wear stars and ribands gazed at him from the walls. Let 'em, I said to myself. Morry did let them. Their eyes discomposed him no whit. I thought, however, that his eyes roamed occasionally over the ladies—those on the walls. One of them was quite like Nesta. She

had been something of a rip—the lady on the wall—so tradition said.

After dinner we went to the billiard room. Morry and I played, Nesta and Morry and I played, Nesta and Morry played. There were enlightening passages.

"Oh, Duff, what a rotten shot!"

"Yes—nearly as bad as your approach to the fourteenth green this afternoon."

"Well, it was no worse than yours last week. I never saw such an utter foozle."

"I don't foozle all my drives on the same afternoon, anyhow."

"Oh, Duff, you are mean! Dick—he was my partner in a foursome, a fortnight ago, and, as it happened, I simply could not hit a ball that day. It was an awful performance, I know; but don't you think he's mean to keep casting it up at me?"

"Horribly mean. He always was."

Nesta smiled, then suddenly frowned as if something disagreeable unconnected either with the conversation or the game had come to mind. The result was that she missed the object ball and left Morry with a sitter; he ran out.

I laughed.

"You are a pair of brutes. I shan't play with you any more."

She wandered off. Morry and I began another game. Our game over, we went to look for Nesta, and found her in the summer parlour, reading the paper.

Blow that paper! I had forgotten all about it.

"When everybody in the house has finished with the paper I went all the way to the village to buy, I should like to have a look at it myself."

No notice taken.

"Chuck it over, Cockles. You have had it quite long enough."

"All right. Just a minute."

Her eyes travelled down the page.

"Oh!"

She had seen it. She looked at Morry, who was smoking a cigarette—quite at home, thank you—and her eyes were starry. She got up, went to him, and showed him the paragraph.

"I am so sorry, Duff dear."

Her arm was round his neck. He put a hand up and caressed the hand that dropped on his chest. He looked up.

"It is over for her at last, poor woman. It was over for me, long ago."

I don't know what the personal pronoun stood for. "Love"? Or "life" in one case and "love" in the other?

"What became of the little girl?"

"She is at school at Eastbourne. She is well cared for."

I did not stay to ask who was responsible for Lynette being well cared for. It may have been the Court of Chancery. I tiptoed out, closed the door noiselessly, and went to bed, the happiest man in England.

. . . . . .

They were married at the beginning of the long

vacation, and went away to see if the world was round. When they came back, a surprising thing had happened: Morry had come to life.

To live is to be in a great whispering gallery—or, perhaps better to say, in a great telephone exchange where one has a seat at the switchboard. There, in the course of each day, while carrying on the daily business of pulling switches over and pushing them back, one hears, not merely what is addressed to oneself—requests and demands and protests and complaints—but an endless series of fragments of what is passing between others: a business man inviting a young fellow to dinner, his wife ordering delicacies from the stores, his daughter reproaching the dressmaker for not having delivered her new dinner-frock. The chain on which the scraps are strung is rarely as superficially evident as I have made it in the simile; we have to contrive our own chains, each for himself or herself, in order that we may have a clue to the intrinsic value of our own emotions and experiences.

No doubt Morry began to do this as a boy, although as I think to a less extent than most people; he was always self-centred; but he ceased to do it after his father's failure in business made it necessary for him to carve out a career. Thenceforward he poured himself into the race for success as the mill-stream pours itself into the mill-race. His soul was left to exist as best it could in a vacuum. His real interests were all ephemeral. He concentrated on his cases, or on the political questions of the hour; as soon as it ceased to be necessary to think about that case, or that political question, he forgot it utterly until he needed

to recall it. In the same way, with regard to people, he would pump them skilfully as to what interested him at the time; then they and everything connected with their lives passed from his mind until he met them again.

Nesta woke him up. For her sake he tried to become continuously aware of others. One of the funniest things I have ever seen was the way in which Morry, when he had resumed his customary avocations, endeavoured to remember that although Sara and Jessie might have put up with his appearing at half-past nine when dinner was at eight, Nesta would not. As for her—can you picture the daintiest of wrens flying at and trying to peck at an eagle, and the eagle with a "Yes, my dear. I know. You did say so"; expression? But what can a woman do with a man who has no idea of time, who would never eat anything if someone did not watch him to see that he did, who loses gloves, umbrellas, etc., with unfailing regularity?

Bully him. What else?

Doubtless, when no one is by, in the end the eagle lifts one of his mighty pinions, and the little wren creeps under and tucks up warm and comfortable. Morry adores Nesta, and Nesta worships Morry, though she has no idea of letting him do just as he likes in domestic matters—which is very good for him.

God gie ye good-den, friends; in your eventide shines the Love-Star.

CHAPTER XVI

Epilogue

When this book was first written, it contained merely a reference to the case of John Jafes as an experience which had roused my interest in the practice of the law; nor did it contain passages of a more or less personal nature which are now to be found in its pages.

I thought Morry ought to read the manuscript before it was submitted to the publisher, in case there might be anything in it to the publication of which he objected. I sent it to him.

I heard nothing for a week. Then came a note asking me to go down to Buckinghamshire.

Morry was on the station platform, Nesta in the car outside. As soon as we had started off, she said: "We have read your book, and we want to talk to you about it." Her tone was hostile.

I saw that Morry was looking at me in a queer way, so I made no reply.

She left us to our dessert. When we had lighted up, Morry began:

"Am I correct in assuming that your object in writing the book was to convey a portrait of me as a lawyer?"

"Yes."

"Then I am sorry to tell you, my dear fellow, that you have made a fundamental error which vitiates

the picture. You have portrayed me as endowed with faculties which are beyond the ordinary."

I smiled.

"As a fact, my natural gifts are not more than on a level with your own, taking the highest view of them. The difference is that mine apply themselves in one way and yours in another. I will prove it to you. You have attributed to me the power of recreating a series of events, as they must actually have happened, from evidence necessarily in itself incomplete. It is a romantic illusion. I possess no such power, and you ought to know that I do not."

"You aren't a sharp in psychology, Morry. You are only a law sharp."

"Quite so. But in this instance I impugn your judgment, and I impugn it on the facts. Do you remember the Frey murder case?"

"Of course I do."

"As it was the first case in which you assisted me, I presume it was the first time you heard me attempt to reconstitute events."

"Certainly."

"Then it must have been on that occasion that you invented the term 'the headlight,' which you have applied in your book to other essays of mine of a similar kind."

"I don't think so."

"But you used the term, Dick, in describing a passage in my address to the jury."

"Did I?"

"Yes. And it implies, in the way you used it then, and in the way you use it in your book, that I have,

under such circumstances, the faculty of seeing into the dark places of the past."

"Well?"

"Was John Jafes guilty?"

"Of course he was."

"Don't you know that he afterwards received what is ironically called a free pardon?"

"No. Did he?"

"You never saw it in the newspapers?"

"No. I went to Russia."

"But you must have had newspapers, even in Russia."

"Yes, of course. I didn't notice anything about the case, that's all."

"You were not sufficiently interested to look for it, to be sure as to the end of that poor devil?"

"I took for granted he was hanged, and deserved to be. Why was he pardoned?"

Morry disregarded my question. "I can't understand how *you* could think him guilty."

"You proved that he was."

"To the satisfaction of the jury, yes; but not to yours."

"Well, it was a case of circumstantial evidence, and in all such cases there is necessarily an element of hypothesis. But there was every reasonable presumption of guilt."

Morry laid down his cigar and eyed me keenly. "*Every* reasonable presumption?"

"Except that the whole of the money wasn't traced to him."

"Nothing else?"

"Not that I remember."

Morry said: "Dick, you are an extraordinary fellow." He picked up his cigar, and went out of the room. He came back a few minutes later with a bundle of papers, and laid one, a triangular scrap, in front of me.

"I found this in my brief-bag while I was returning to London that evening. Do you recognise it?"

It was my picturesque note.

"Oh, yes. I wondered what had become of it."

"Well?"

"Well what?"

Morry stooped—he was standing over me—and underlined with his fat forefinger:

"What was he carrying? Not the hatchet. He looks like a varlet carrying a sucking-pig into ye baron's hall."

I puzzled.

"Don't you see the bearing of that—the necessary inference?"

I didn't.

Morry's voice became silky, as when he wanted to help a witness. "Come, Dick. What might he have been carrying in that way—as on a dish? You suggest a sucking-pig. But it is not probable that he would carry a sucking-pig out of his cottage in the middle of the night. Something not altogether unlike a sucking-pig, though. Come, old fellow."

I had no glimpse of a notion.

"You have it here, almost." Morry pointed to the words:

"Why did the two women come in mourning?"

I shook my head. "You'll have to tell me. I have no more idea what he was carrying than I have how you know what it was, and I could never guess."

"A baby!" cried Morry explosively. "A still-born baby!"

I was bewildered. "Why should he carry a baby out of his cottage—especially a dead one?"

"He was going to bury it, so as to conceal the fact that it had been born."

"But whose baby was it?"

"His, and his wife's sister's—the pale-faced woman who gave evidence—don't you remember?"

"I remember her perfectly—Mary Faith. Had she had a baby by him, then?"

"Yes. I worked it out from your note the same night. The next day I made the necessary application, and went to see him in gaol. I told him I knew the truth, and I told him what it was. He admitted it, and related exactly how it all happened. The baby was born about midnight, dead, and he buried the body in the river. He hadn't been further. The reason his clothes were so wet was that it took him some time to remove enough stones to hide the tiny body and cover it up again."

Morry had worked it out from my note! How could he? It would be no use to ask him.

"Who murdered Mrs. Sutlin, then? Did the police find out?"

"Can't you guess?"

"Charlie Tessier?"

"Of course. He was hanged, and serve him right. He made a full confession after he was convicted,

a copy of which was sent to me. I have it here."

Morry sat down, and turned over the leaves of a bunch of typescript.

"He married, at the beginning of September, the daughter of the house where he had lodged when in Bristol. He kept his marriage secret lest it should come to his aunt's knowledge. He knew she would resent it. He says that she was of a jealous, domineering disposition, and looked on him as her private property. But he had posed as a man of means to his landlady in Bristol, and not unnaturally his wife was extravagant. He was at his wits' end for money when he went to see his aunt on the twenty-sixth of October, and asked her for a loan. She insisted on knowing why he needed the money, and he told her the truth. She accused him of deceitfulness, told him to clear off and never come near her again. He went back to Treadwell in despair.

"It was then or never : his aunt had said explicitly that he need expect nothing more from her either while she was alive or after she was dead. He slipped out of his lodgings secretly about midnight, and went on his bicycle through the lanes to the ferry. You remember there was a ferry which only worked in the daytime? He crossed the river by hauling up the chain which served the ferry-boat; he contrived to wind it round a post so that it hung clear of the water, and worked his way across it—a possibility which was overlooked entirely. He went by the river-edge, as we supposed Jafes had done, to his aunt's back gate. He knew that it had been cleared some weeks before, and that the bolt did not

hold. He went through the shed to the front door, and entered the house that way. He had a waterproof suit of cycling overalls—trousers with feet, like waders, and a jacket with a hood; he took these things off in the shed, and left them there until he came out. That was how he had no wet clothes next morning, and left no traces in the house.

"On the return journey he had to repass the foot of Jafes' garden, and almost blundered into Jafes in the dark. Jafes had just finished burying the baby. Tessier, taken by surprise, told Jafes that he had been poaching fish, and offered him a couple of sovereigns in return for a promise to hold his tongue. Jafes accepted the money and went back to his cottage. Tessier says that he meant then to bolt—leave the country, I suppose. 'Suddenly it came in my head that suspicion was just as likely to fall on Jafes as me, after him doing the back gate and being in aunt's bedroom. I thought it over, and I saw the point would be, how did he get into the house? He didn't know how to work the latch. So I went back, and broke open the kitchen window. Going out I left the back gate open on purpose.' He took precautions, when he reached home, as to his bicycle.

"In the course of the following morning, he reflected that the case against Jafes would be more damaging if he reversed the order of events as to the clearing of the gate and the repairing of the window. Later, he made use of the coincidence that one of the coins he had given Jafes was an Australian sovereign which he had noticed among those he took to his aunt a fortnight before."

The picture of these two men meeting in the riverbed, amid the howling of the wind and the thrashing of the rain, enthralled me. The murderer, fresh from a scene of horror, stumbling on the man who had been hiding a shameful secret! What must have been their mutual surprise, suspicion and fears? I could imagine Tessier, with his smug self-confidence, partially recovering first, inventing an explanation that would pass for the moment, offering the bewildered Jafes money. Probably he had to shout to make himself heard above the storm. And Jafes, taking it with a villager's grin, putting the rope round his neck. But——

"Jafes must have known, when the police told him that Mrs. Sutlin had been murdered, who had done it."

"Of course he did."

"Then why didn't he say so?"

"He was afraid of the fact that a baby had been born coming to light. When I told him that I should inform the authorities he was innocent, he said: 'If zo be as ur'll be zhamed, zur, oi'd rather bide it.' "

What a tangle! Weakness and wicked desperation and cunning cowardice and malicious hypocrisy; tenacity and furtive sinning and false self-respect and chivalrous courage! What a farce the trial had been! Judge, jury, barristers, trying conscientiously and cleverly to weigh facts which were not facts, baffled by the ravel of deceptions and concealments, half-truths and truths withheld! I recalled my feeling at the time—that the lofty impartiality of the proceedings made them seem remote from the human

story as I guessed at it. Was that typical? Were all such formal ways of doing things necessarily out of relation with the elastic complex of motive and action called life, a "system of justice" a misnomer for clumsy blundering?

Yet, in that instance, justice had been done in the end because I had happened to make use of my one talent. Was the reason things had come right that we had all done our best? Was that the answer to the problem as to the practice of the law which had bothered me then and ever since?

It did not seem quite the right answer. "Do your best" is an excellent maxim for other people, but ought a lawyer to do his best for his clients, right or wrong?

And my book? With infinite pains had I striven to present the real Morry. He said that the portrait was vitiated by exaggerations. Yet I had only put down what I had seen. I could not re-make the picture differently. Was it all wrong, fit only for the fire?

There came into my mind a sermon preached by my father on the text: "A faithful witness shall not lie." He explained that this did not mean merely that a faithful witness would tell the truth because he was faithful; it meant that the testimony of faithful witnesses would eventually establish the truth even though a witness might sometimes be mistaken. "Hold fast by the truth that is in you," said my father.

I would be a faithful witness. My book contained the truth about Morry as I knew him. Some revision would be necessary. I must include the story of

John Jafes, and the sequel. But as to the picture of Morry, I would not alter it. I said so.

"But my dear fellow, your own note in the Jafes case proves your theory to be wrong.—By the way, it was because of it that I invited you to come into my chambers when I was in King's Bench Walk.—If either of us is exceptionally endowed——"

He went on arguing until I shut him up with:

"You never allow clients to dictate how you should present their cases. I'm having a shot at presenting your case to the public."

We went into the library. Nesta was sitting in a specially large armchair. She got up. Morry sat down in it. Nesta sat down. She looked at Morry. She looked at me, and inquired:

"Has Duff told you?"

"Yes."

"About us?"

"You don't come into it, Cockles dear."

"Oh, don't I!" Nesta was belligerent. "Then he hasn't told you."

Morry said: "Nesta, I beg of you——"

"I shall tell him, Duff. It has been as much as I could do ever since we were married to bear the way he moodles over us. Look at him now, standing on the hearthrug and filling his pipe like a lamp-post. The book has finished my patience."

"I wish you would not say anything more." Morry looked almost unhappy.

Nesta disregarded him.—"Now, you! Why do you suppose I haven't been where I am now for years and years when I wasn't?"

"Because you both behaved like silly asses, dearest."

"Thank you. Keep your dearests for someone else. Do you remember meeting Morry at Redminster, soon after I went to Montpellier?"

I said that certain circumstances in connection with our meeting had just been recalled to my mind.

"What you told him about me? And what he thought?"

I was mystified.

"You said something which made him believe you were in love with me, and he thereupon effaced himself as far as I was concerned. He thought you intended sooner or later to throw me your royal handkerchief, and that I was waiting to pick it up."

"No, no," protested Morry. I could just see his face, and in his furry eyes there was an expression that brought back a forgotten childish ritual:

"*I take you as my liege lord . . . in no wise to oppose or hinder your designs. . . .*"

Morry had sacrificed his life's happiness to me.

I dropped my pouch, and the tobacco scattered on the carpet. It took me some time to pick it up.

"What have you got to say for yourself?" demanded Nesta.

"Nothing."

"There is something to be said for him," came from behind her. "I plead for Dick——"

"How can you find anything to say for him when there isn't anything, because he says so?"

"It is my function in life. There is something which may fairly be said for everyone. . . ."

That was it! That was the answer to my problem. "Even lawyers"—with a chuckle from the depths of the armchair.

. . . . . .

Meantime, Jessie's prophecy had come true. The Powers That Were had by no means forgiven Morry for interfering with the rickety machinery of their policy. They had hunted him into the wilderness, and he had lost his seat in Parliament. All sorts of spiteful little tricks can be practised by those who control a political party; Morry, formerly a popular speaker up and down the country, ceased to receive invitations to speak, and when a knot of personal admirers got their way and he did deliver an oration, it was never adequately reported except in the local paper. Consequently, the public got the impression that something had gone wrong with Abramson. "He seems to have had the extinguisher put on him" was the phrase used to me.

I don't think Morry would have cared much if Nesta had not stirred him up. He was quite changed by that time, and might have been content to devote his leisure to her—to take her about in town and for trips abroad; to potter round the garden in Buckinghamshire, calling flowers by their wrong names and talking learnedly about the horses. But Nesta would not have it. Duff was something more than a great lawyer; he was a great man, and England had got to realise that, whether England wanted to or not. So Morry plunged back into the hurly-burly, fought by-elections and was soundly beaten—which, again, was

very good for him—and teased Nesta when she stamped her little foot and said vitriolic things about the stupidity of the electors who hadn't voted for him.

He has not yet succeeded in regaining his position in the political world as I write, and Nesta sometimes grumbles, womanlike, because between law and politics she gets very little of his company in term time. "If I want to see my husband I have to go and sit in a stuffy law-court or stuffier public hall unless he's in his pyjamas," was one of her characteristically-muddled utterances. But Morry will succeed—perhaps before you read.

There is a prejudice against the lawyer-politician which arises out of the belief that as a politician he is merely a lawyer with a party for his client. Morry has suffered from this prejudice; it happens to be specially unfair to him, because he always takes wide views; as a politician, he is a lawyer with everybody for his client. It was for that very reason that I used to think his speeches lacked punch. In the whirlpool—or ought one to say the whirligig?—of politics in the last eight years I have come to the conclusion that he stands, as no one else does, for the people of England as a whole. Most politicians put forward a similar claim, but in the same breath, or the next, one finds them advocating class-policies thinly disguised or naked in their narrowness; for Morry the claim is valid. He has neither religious nor class prejudice, and his intellect is too keen to be deceived, or to deceive itself, with sophistries.

Moreover, he possesses in an unusually high degree the mental qualities which enable so many lawyers

to attain high political positions despite the popular distrust to which I have alluded—the faculty for missing none of the aspects of a problem and rightly estimating their relative importance, and the gift for finding a solution in which due allowance is made for each. This is the basic quality of statesmanship. If Morry perseveres in the dog-fight, he will regain his place; he may do more.

My early experiences with Morry in his professional work led me to the conclusion that his conduct was governed by an instinct for justice; since, I have come to see that the same instinct has always governed him in politics. It led him to work in with his party as long as that seemed to be the best way to attain his aims; it drove him to stand on one side when his leaders committed themselves to a policy which, as he thought, was unfair to a majority of the inhabitants of this country; it forced him to give them battle when they laid hands on his Ark of the Covenant. If England comes to need a man in whom this sense of ideal justice is profoundly rooted, who will stand for it as Abraham Lincoln stood for the higher legality when Secessionists threatened the Union, a man no whit inferior to Lincoln in personal integrity and moral courage, and—I say it deliberately—a man surpassing any of his contemporaries in intellectual power, she can find such a man in Maurice Abramson.

THE END

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